

COPY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

NORTHROP CORPORATION,) Case No. 566129
)
Plaintiff,)
)
vs.)
)
EVANSTON INSURANCE COMPANY, ET AL.,)
)
Defendants.)
)
AND RELATED CROSS-ACTION.)
)

VIDEO-TAPE DEPOSITION OF (b) (6)

Taken on behalf of the Defendant Great American Insurance Company at the Law Offices of Van Winkle, Buck, Wall, Starnes & Davis, Third Floor, 11 North Market Street, Asheville, North Carolina, commencing at 9:50 a.m. on Monday, June 26, 1989, pursuant to Notice.

BEFORE: Patsy R. Headley, Certified Shorthand Reporter
Registered Professional Reporter, Notary Public

TRANSCRIPTS PLUS
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1 THE VIDEOGRAPHER: I am Mariano Raigo, video
2 technician. It is Monday, June 26, 1989. We are here for
3 the video-tape deposition of (b) (6) in a case
4 pending in the Superior Court of Los Angeles County, State
5 of California, entitled Northrop Corporation versus
6 Evanston Insurance Company, et al., Case No. C 566129.

7 Would counsel please identify themselves for
8 the record.

9 MR. FADEFF: I am Jeffery Fadeff, appearing
10 on behalf of Ronald Smith, representing certain
11 underwriters at Lloyds of London.

12 MR. COLVIG: I am Timothy Colvig from
13 Lempres & Wulfsberg, a professional corporation, appearing
14 for Defendant and Cross-Complainant Evanston Insurance
15 Company.

16 MR. WHEELER: Charles Wheeler of Rogers &
17 Wells for Pacific Indemnity Company.

18 MR. WARREN: I am Bob Warren from Black
19 Mountain, North Carolina. I am representing (b) (6)

20 And we would like to enter an objection to
21 the Court's order in this case restricting the use of this
22 deposition, not making the testimony available to
23 governmental agencies and other interested parties in the
24 Asheville area.

25 We reserve the right to have the deposition

1 read to the deponent and to have him sign the deposition
2 later.

3 MR. LANE:- I am Don Lane with the firm of
4 Keating, Muething & Klekamp, Cincinnati, Ohio,
5 representing Defendant and Cross-Defendant Great American
6 Insurance Company.

7 MR. SCHULTHEIS: I am John Schultheis,
8 environmental consultant with Nimmo & Company, assisting
9 Mr. Glenn Warner of Paul, Hastings, Janofsky & Walker.

10 MR. WARNER: I am Glenn Warner of Paul,
11 Hastings, Janofsky & Walker, appearing on behalf of
12 Plaintiff Northrop Corporation.

13 (b) (6)
14 called as a witness by and on behalf of the Defendant
15 Great American Insurance Company, being first duly sworn
16 to tell the truth, the whole truth and nothing but the
17 truth, testified as follows:

18 EXAMINATION

19 BY MR. LANE:

20 Q. (b) (6), as I indicated, my name is Don Lane,
21 and I will be asking you some questions this morning about
22 your work at Northrop. As we've discussed, if you don't
23 understand a question that I give -- that I ask you,
24 please ask me to rephrase the question and I'll do that.

25 If you don't know an answer, let me know and

1 we'll move on. Keep in mind that the court reporter is
2 making a transcript of the deposition, so we need your
3 answers to be audible, a "yes" or a "no"; okay?

4 A. Okay.

5 Q. Could you please state your name for the record.

6 A. My name is (b) (6) [REDACTED]

7 Q. And what is your age?

8 A. (b) (6) [REDACTED]

9 Q. Could you give me your address, please.

10 A. It is (b) (6) [REDACTED]

11 Q. Is that (b) (6) [REDACTED] [REDACTED] [REDACTED]?

12 A. Yes, sir.

13 Q. What is the zip code?

14 A. (b) (6) [REDACTED]

15 Q. What is your phone number?

16 A. I don't have a phone.

17 Q. Are you married, Mr. Higgins?

18 A. (b) (6) [REDACTED] sir.

19 Q. Do you have any children?

20 A. (b) (6) [REDACTED] [REDACTED]

21 Q. What are their names?

22 A. (b) [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

23 (b) (6) [REDACTED] [REDACTED]

24 Q. And where do they live?

25 A. (b) (6) [REDACTED] [REDACTED] [REDACTED]

1 Q. Is that (b) (6) also?

2 A. (b) (6) sir.

3 Q. (b) (6)

4 A. (b) (6)

5 Q. How old are your children?

6 A. (b) (6)

7 Q. (b) (6) I would like to ask you about your
8 formal education. How much education have you had?

9 A. (b) (6)

10 Q. You went through the (b) (6)

11 A. Yeah.

12 Q. Was that here in North Carolina?

13 A. Yeah.

14 Q. (b) (6), could you tell me about your
15 employment after you graduated from school?

16 A. Well, let's see. First, I guess -- First I
17 worked -- (b) (6). That's a lumber
18 place where they made furniture.

19 Q. Where was that?

20 A. It was in (b) (6).

21 Q. What did you do there?

22 A. (b) (6)

23 Q. How long did you work there?

24 A. Probably (b) (6)

25 Q. From there where did you go?

1 A. That's when I went to Northrop. I -- You know,
2 they come in and they paid good, you know, and then I got
3 on there.

4 Q. What year did you start working for Northrop?

5 (b) (6)
6
7
8
9

10 Q. For the record, (b) (6) ?

11 A. Yeah.

12 Q. And what is his -- (b) (6)

13 A. Yeah.

14 Q. Do you recall approximately what year that was?

15 A. It would have to be, I guess, (b) (6)

16 somewheres in that area, because (b) (6)

17 Q. How long did you work at Northrop?

18 A. I would say anywhere from (b) (6)

19 Q. After you left Northrop where did you go?

20 A. I went to (b) (6)

21 Q. (b) (6)

22 A. Yeah.

23 Q. Where is (b) (6) located?

24 A. It is located in (b) (6).

25 Q. How long did you work there?

1 A. I stayed there (b) (6)

2 Q. What were your duties at (b) (6)

3 A. I run (b) (6)

4 Q. After you left there where did you go?

5 A. I went to (b) (6)

6 Q. And where is (b) (6)

7 A. He's in (b) (6), too, out on (b) (6).

8 Q. What did you do for (b) (6)?

9 A. I have been a (b) (6) there all -- ever since I

10 went there.

11 Q. Is that where you work now?

12 A. Yeah.

13 Q. You testified that you started working for Northrop

14 in (b) (6). How did you find out about that job?

15 A. (b) (6) He started there way before I did.

16 Q. (b) (6)?

17 A. Yeah.

18 Q. Did you start working there about the time that

19 Northrop bought the plant and started working?

20 MR. WARNER: Objection: no foundation, calls

21 for a conclusion and opinion.

22 Q. (By Mr. Lane) You can answer the question.

23 A. I don't think they had been there long, because

24 (b) (6) he had started work out there, and then they said,

25 you know -- He said they paid good and everything. You

1 know, where I was working at (b) (6) they
2 only paid about, you know, \$35 a week, you know, and you
3 always try to better yourself, you know.

4 Q. How much did you get paid when you started working
5 at Northrop?

6 A. That's been so long, to tell you the truth, I don't
7 know, but I know it was quite a bit more than what I was
8 making at the furniture.

9 Q. Did (b) (6) tell you that Northrop paid better than
10 most of the employers in this area?

11 A. Yeah.

12 Q. And that's one reason you took the job?

13 A. Yeah.

14 Q. When you were originally hired at Northrop what was
15 your position?

16 A. I first started out in 105 a'making those Mark 24
17 flares. I run this little old machine that put the tacks
18 in. You know, you have got like a timer, I guess it was,
19 and you put it in there, you know, and then it had a drill
20 that drilled holes, and then the thing come and pushed
21 that little brass screw into that to hold it in there.

22 Q. When you say 105, that was Building 105?

23 A. Yeah.

24 Q. So you basically worked as an assembly person in
25 Building 105?

1 A. Yeah.

2 Q. How long did you do that?

3 A. I guess I stayed in there maybe a month, I guess.

4 Q. Where did you go after that?

5 A. Well, that's when they wanted -- They was going to
6 start some more shifts then. They couldn't keep all this
7 stuff up, so a better job come up, you know, and that, and
8 I like to get out -- I like outside work. I don't like it
9 inside, you know. I was always kindly an outside guy, so
10 this job opening come up, so I got the second shift job --

11 Well, I trained under (b) (6) there for about a
12 month, I guess, or longer, a'picking up this stuff, you
13 know. We'd go around to each building and --

14 Q. What was the name of that new job that opened up?

15 A. It was just driving a truck, you know, picking up
16 that waste.

17 Q. It was in waste?

18 A. Waste, yeah.

19 Q. Now, you testified that that job opened up. There
20 had been no one on the second shift waste prior to that?

21 A. No. There hadn't been no second shift pick-up
22 until they started this.

23 Q. Was there someone on the waste detail during the
24 regular shift at that time?

25 A. Yeah.

1 Q. Who was that?

2 A. That was (b) (6), they called him. I don't
3 know his first name.

4 Q. Was it maybe (b) (6)?

5 A. It might have been.

6 Q. Do you know why they needed someone to do the waste
7 detail on the second shift?

8 A. I guess it got more than they could handle during
9 the day hours, I guess, and nobody picking it up of a
10 night, you know. I guess the barrels was running over and
11 stuff like that, you know.

12 Q. How did you find out about the job opening on the
13 second shift?

14 A. (b) (6), he also told me about that job.

15 Q. Was there a bidding process to get that job, or did
16 you just --

17 A. No. I just -- He just asked, I guess, the
18 superintendent, you know, and told him he would think I
19 would be good for the job. I told him I would like to get
20 outside, so --

21 Q. Who was that superintendent?

22 A. To tell you the truth, I don't know.

23 Q. Was it maybe (b) (6)?

24 A. It might have been.

25 Q. Did you have to talk with anyone before you assumed

1 that duty, anyone -- any supervisors or anything?

2 A. No. I didn't talk to anybody, just --

3 Q. You just worked with (b) (6)

4 A. Yeah.

5 Q. You testified that you trained with (b) (6) for about
6 a month. What -- What happened during that month?

7 A. Well, we'd just go around, and he would show me,
8 you know, just like they had different-colored barrels.
9 They had red barrels, white barrels and black barrels, and
10 most -- At each station they had all these colored
11 barrels.

12 We had them colored barrels on this big
13 truck. It was a long truck, you know. I guess we had
14 like 50 barrels, them little 30-gallon barrels on it, and
15 we'd go to each place, you know, and you'd take a white
16 barrel and you would put it in a white barrel. You kept
17 all this stuff separated, because they told us, you know,
18 "You mix this stuff, it could react and cause a fire."

19 Q. When you were working with (b) (6) during the time
20 that he was showing you how this job worked, was that
21 during the day --

22 A. Yeah.

23 Q. -- on the day shift? What were the hours of the
24 day shift?

25 A. I guess it was 7:00 to 3:30 or something like that.

1 Q. When you took the waste job did anyone else give
2 you any training besides (b) (6)

3 A. No.

4 Q. Did you work with (b) (6) at all?

5 A. Yeah, he was right with us when I was training.

6 Q. The three of you worked?

7 A. Yeah.

8 Q. Did you work on one truck --

9 A. Yeah.

10 Q. -- when you were working with (b) (6)

11 A. Uh-huh.

12 Q. Is that a "yes"?

13 A. Yes.

14 Q. Okay.

15 MR. WHEELER: That's one of the rules of
16 depositions, just so you will know, is the terms "uh-huh"
17 and "huh-uh" are very hard for a reporter to transcribe,
18 so you basically need to say "yes" or "no," and we'll
19 remember and sort of prompt you, but that's why we are
20 doing it.

21 Q. (By Mr. Lane) I'll remind you. I will probably
22 say it a lot, but you are not allowed.

23 Okay. So basically, then, (b) (6) is the one
24 that showed you how the waste detail worked?

25 A. Yeah -- Yes.

1 Q. During the time that you were working with (b) (6)
2 could you briefly describe the routine that he would
3 follow on the waste detail?

4 A. We'd just start and we'd just go from one building
5 to the other.

6 Q. Would these be production buildings, mostly?

7 A. Yeah, and labs.

8 Q. Okay. What would you do at each building?

9 A. Well, we'd just stop and, like I say, they'd have
10 this stuff, you know. They had a pick-up area that you
11 got out and you picked up all the waste material, you
12 know. You knowed that was where -- You would see barrels.
13 You know that was where you picked up the stuff. We'd get
14 out and reach it, go on up on the truck, put it in the
15 barrels which you know where it goes.

16 Q. There were different types of barrels?

17 A. Yes.

18 Q. And these barrels were different colors?

19 A. Yes.

20 Q. And what colors were they?

21 A. Red, white and black.

22 Q. And you would take the waste from each barrel and
23 put it on to the truck?

24 A. Yes.

25 Q. Did you ever put the barrels, themselves, on to the

1 truck?

2 A. No. We always left the barrels there, you know,
3 because we had barrels on the truck that we used.

4 Q. Did (b) (6) explain to you what the reason was for
5 the different colors of barrels?

6 A. Yes.

7 Q. What was that?

8 A. It was on account of it would react if you put --
9 you know, of mixing this stuff. I guess they had already
10 trained him, you know. Somebody must have went through
11 the training procedures with him, you know, telling him
12 what was what, you know.

13 Q. Did he ever tell you who instructed him?

14 A. No.

15 Q. What was typically in the barrels?

16 A. Well, you'd see a lot of like fluids. Some of them
17 would have fluids like red fluids and yellow fluids. Then
18 some of them would have these little like flat washers,
19 you know, just looked like the red of a match, you know.

20 THE REPORTER: Looked like a --

21 THE WITNESS: Red of a match.

22 Q. (By Mr. Lane) Anything else that you recall?

23 A. Then there's a lot of it that -- We picked up a lot
24 of powders, you know.

25 Q. Was the powder loose or contained in bags?

1 A. It would be in them barrels, you know, loose powder
2 in barrels.

3 Q. Was there anything else in the pick-up areas
4 besides the barrels, themselves?

5 A. You mean like paper and all this kind of stuff?

6 Q. Right, or anything else.

7 A. Yeah, we had -- Well, like over at 113 you had that
8 white stuff, you know, that was called CS. It would look
9 like flour, and it would be in them barrels, also, and the
10 filters, you know, like I guess they used in the plant.
11 We had to also load that.

12 Q. And those were loose? Those were not inside --

13 A. They'd be in --

14 Q. -- the barrels?

15 A. They would be in the barrels, but it would be
16 sitting in there, and you picked that stuff up, and then
17 when you start to move that, if somebody would get a
18 barrel and go down and walk in front of you, if you got
19 downwind of it, boy, it would take your breath.

20 Q. Okay. We'll get back to that in a little while.
21 After -- I am talking about the time that you were working
22 with (b) (6). After you made these stops at the buildings
23 where would you go from there?

24 A. You would either -- You would take it up to the
25 burning ground.

1 Q. And where was the burning ground, do you recall?

2 A. You went -- You went around to the right of -- I
3 guess it was on the same ground, but you went up a little
4 gravel road up on the mountainside, like.

5 Q. It was up the hill --

6 A. Yeah.

7 Q. -- from some of the buildings?

8 A. Yeah.

9 Q. What would you do when you got up there?

10 A. We would put this stuff -- They had three ditches.
11 They had them bulldozed out, and we would take this
12 stuff -- You burned every third day in a ditch, like you
13 would burn one day in this ditch. The next day you
14 wouldn't burn that ditch, because, you know, on account of
15 there might be some heat or something in there, you know,
16 that would ignite that again.

17 Then the next day you would burn the next
18 ditch. The next day, the third ditch. So about every
19 three days you would come back to the first ditch.

20 Q. When you were working with (b) (6) did he ever take
21 anything any place else besides the burning ground?

22 A. The only place we -- While I worked with him we had
23 another place down at -- There is another plant built in
24 there now. It was like where we burned cardboard and
25 stuff like that.

1 Q. Is that where Asheville Dye is now?

2 A. Yeah.

3 Q. Did (b) (6) also show you that separate burning area?

4 A. Yes.

5 Q. Did you use that when you started working second

6 shift?

7 A. Yes.

8 Q. And that was mostly for cardboard?

9 A. Yeah, that's where we got rid of the cardboard

10 boxes.

11 Q. Where did the cardboard come from?

12 A. Most of the cardboard come from where they -- Like

13 them Mark 24 flares, like they had these little cardboard

14 tube they packed that powder in. That's what they were

15 stacked in.

16 Q. Was that from Building 105?

17 A. Yes.

18 Q. Okay. You trained with (b) (6) for about a month and

19 then you went on second shift. Did you go on by yourself?

20 A. No. They hired another guy that worked with me,

21 (b) (6). I don't remember his first name.

22 Q. His last name was (b) (6)

23 A. Yeah.

24 Q. It wasn't (b) (6) ?

25 A. No. He was an older-type guy. I can't remember

1 his first name.

2 MR. WHEELER: Do you know that he spelled his
3 name (b) (6)? Was that the way it was pronounced,
4 or would it be (b) (6), which would be another way you
5 could spell that kind of name?

6 THE WITNESS: To tell you the truth, I don't
7 know how you would spell that. I don't know. I just
8 remember it was (b) (6). We -- We just more or less used
9 everybody's last name. We didn't -- As far as -- I don't
10 even know (b) (6)'s last name. We just called (b) (6).
11 They called us (b) (6) and like that, you know. We didn't
12 really use no first names.

13 MR. WHEELER: Okay. Thank you.

14 Q. (By Mr. Lane) Had (b) (6) been working at the
15 plant at the time that you went on second shift, or was he
16 new?

17 A. He was new.

18 Q. Did he also train with (b) (6)?

19 A. No. He just started with me.

20 Q. So you were in charge of showing him what to do?

21 A. Yeah.

22 Q. Did he work with you the entire time you were
23 there?

24 A. Yes.

25 Q. Did he stay on after you left?

1 A. I think he got laid off about -- About every time I
2 would get laid off he would get laid off.

3 Q. Do you know -- happen to know where he is now?

4 A. I don't know. I just -- I have wondered, you know,
5 if he is still alive or not. I know some of the people is
6 dead that worked up there with me.

7 MR. COLVIG: Can you give me an estimate of
8 about how old he was at the time you were working with
9 him?

10 THE WITNESS: I would say he was in his late
11 thirties then, I guess --

12 MR. COLVIG: Okay. Thanks.

13 THE WITNESS: -- or early forties.

14 Q. (By Mr. Lane) You just mentioned layoffs. Were
15 you laid off while you were at Northrop?

16 A. Yeah, I was laid off about, I guess, two or three
17 times.

18 Q. Two or three times over the year to two years that
19 you worked there?

20 A. Yeah, year and a half.

21 Q. Do you know the reasons for those layoffs?

22 A. No, I sure don't. I don't know if it was on
23 account of their work, you know, where they would get --
24 didn't have any work to do or what. I guess it was, you
25 know.

1 Q. A drop-off in production, maybe?

2 A. Yeah.

3 Q. How long were the layoffs?

4 A. Sometimes it might be a week and two weeks. Then
5 we would be right back to work again going full blast.

6 Q. Was it any longer than two weeks or so?

7 A. Yeah, something like that, more than two weeks.

8 Q. And after you were laid off you always came back to
9 the second-shift waste detail?

10 A. Yeah, come back to the same job.

11 Q. What were the hours of the second shift that you
12 worked?

13 A. I believe it was from 4:00 to 11:00 or something
14 like that, 4:00 to 11:30, something like that. I know we
15 got off about midnight.

16 Q. Did you work five days a week?

17 A. Yeah.

18 Q. Did you ever work on weekends?

19 A. Ever now and again we would work a Saturday, you
20 know, Saturday night or something.

21 Q. When you came in on a Saturday was that for the
22 waste detail?

23 A. Yes.

24 Q. Do you know why you would have been called in on a
25 weekend?

1 A. Well, just like, I guess, a lot of the plants, you
2 know, would be a'running, and they just -- get the stuff
3 up.

4 Q. Do you know whether Northrop ran on weekends all
5 the time?

6 A. No, I don't think they run straight through
7 weekends.

8 Q. Only at certain times they ran on weekends?

9 A. Yeah, just get behind on -- when they wanted to
10 make their -- you know, get the shipment out, they would
11 push it a little.

12 Q. Outside of the training you received with (b) (6) did
13 you ever attend any training sessions with anyone else at
14 the plant about safety or anything like that?

15 A. No.

16 Q. Did you ever attend any meetings when a new product
17 was going to be made at the plant?

18 A. No.

19 Q. Were you ever given any materials about safety
20 procedures or anything like that?

21 A. No. To tell you the truth, they never did give us
22 nothing on that.

23 Q. Did they ever tell you what to do in case of an
24 emergency, a fire or something like that?

25 A. Yeah. They did tell us that. They told us to get

1 out of there as fast as you could, go through the front
2 gate.

3 Q. When -- When were you told this?

4 A. When we first started. That's when they hired us
5 in, you know.

6 Q. Who did they -- Who told you about this?

7 A. Whoever hired us in, you know, filled out our
8 application. They told us if they had a fire, you know,
9 to -- If they evacuated an area, to come through the front
10 gate.

11 Q. This was someone in the personnel office?

12 A. Yeah.

13 Q. Do you recall who that was?

14 A. I don't have any idea. It's been -- Like I say,
15 18 years is a long time.

16 Q. So when you were hired originally you did meet with
17 someone in the personnel office to fill out some papers?

18 A. Oh, yeah, I had to fill out, you know --

19 Q. Did they give you any other information besides
20 what to do in case of a fire?

21 A. No. They just told us to -- you know, you would
22 have to evacuate.

23 Q. Did they tell you anything else about any safety
24 procedures at Northrop or anything like that?

25 A. Seemed like they give us a pair, maybe, of safety

1 glasses or something like that, you know, as we went in,
2 and our little badge. We had to wear the badge, the
3 safety glasses.

4 Q. What was the badge?

5 A. It had your picture on it. That's how you got in
6 and out of the plant.

7 Q. So that was for security reasons?

8 A. Yeah.

9 Q. Did anyone ever give you any instruction on
10 handling certain types of chemicals or how to handle those
11 safely?

12 A. No. Just what (b) (6) -- he just -- I don't know who
13 showed him, but he showed me, you know, how to do and what
14 to do and how to do it.

15 Q. You testified that your shift started at 3:30 or
16 4:00 o'clock. What would you do when you first got to
17 work?

18 A. We would just get in that old truck and start
19 picking up stuff, about the same old routine every day,
20 just from one building to the another one, picking up that
21 trash and chemicals.

22 Q. When you got to work did the truck ever have
23 anything on it, any waste on it already?

24 A. Oh, yeah. Yeah, they -- (b) (6) and them would
25 get -- pick up, you know. When it come quitting time they

1 had a certain place we parked that truck, you know, and
2 then I would get in it.

3 Q. So you used the same truck as (b) (6) ?

4 A. Yeah. Yes, sir.

5 MR. WARREN: Do you want some water?

6 THE WITNESS: No.

7 MR. WARREN: Okay.

8 Q. (By Mr. Lane) Okay. If the -- When you got to
9 work, if the truck was full, would you have to go
10 immediately to the burning ground?

11 A. Yeah. When you get -- You know, when you get a
12 certain amount of stuff in each barrel, you know, you
13 didn't go putting something else in on top of something
14 that was in there, you know. If it didn't have but a
15 handful, you know, you didn't throw something in on top of
16 it, so you would have to go get rid of it.

17 Q. But, other than that, then, you just started
18 picking up waste outside the buildings?

19 A. Yeah.

20 Q. Was there any set patterns to which building you
21 visited first?

22 A. No. We just tried to hit them all, you know.

23 Q. Is there any particular place where you would pick
24 up the truck?

25 A. Yeah. They had it sitting right -- We usually kept

1 it right there at -- I don't -- I believe it was 107,
2 where we had our lobby and everything, where we eat and
3 kept our coveralls and all this stuff. I believe it was
4 107.

5 MR. LANE: Let's go ahead and mark this.

6 Let's go off the record for a minute.

7 (Discussion off the record.)

8 (Copy of a one-page facility layout, Northrop
9 Carolina, Inc., was marked Defendant's Exhibit
10 No. WWC 1000517 for identification.)

11 MR. LANE: We are back on the record.

12 Q. (b) [REDACTED] before we move on I would like to go
13 back and ask you a question about when you initially
14 applied for and got the job at Northrop.

15 Did you go through any kind of physical at
16 that time?

17 A. Yes, we did.

18 Q. Tell me about that.

19 A. Well, when they -- When you get hired in down there
20 at -- I don't know -- I believe it was 100. I believe
21 that's the plant at where you went in, you know, and
22 that's where you hired in, 100.

23 Q. Building 100?

24 A. Yeah. And that was where you filled out your
25 papers, you know, where they hired you. They sort of give

1 you safety glasses and all this and that, and then they
2 give you a physical before they let you go to work.

3 Q. Was that a doctor that gave you the physical?

4 A. Yes.

5 Q. Was it a doctor that was working at the plant?

6 A. He was a plant doctor, I reckon.

7 Q. He worked there at the plant?

8 A. I reckon so.

9 Q. You don't happen to recall his name, do you?

10 A. No, I sure don't.

11 Q. Do you know how old he was at that time?

12 A. I guess he was in his forties.

13 Q. After he gave you the physical did you ever see him
14 at the plant again?

15 A. No, I never did.

16 Q. Did you know anything about a nurse that worked at
17 the Northrop plant?

18 A. Yes. They had nurses. We'd go by ever now and
19 again and get us some stuff to put on your skin. You
20 know, we used gloves, but now and again you would get that
21 stuff on you, burned you just like fire, you know. Red
22 blisters jump up on you. We'd go in there, and she'd give
23 us some of this little box of salve to put on that.

24 Q. Where were the nurses located?

25 A. They was located in the same building.

1 Q. Building 100?

2 A. Uh-huh.

3 Q. Do you happen --

4 THE REPORTER: Is that "yes"?

5 THE WITNESS: Yes.

6 Q. (By Mr. Lane) Do you happen to recall who the
7 nurse was or who any of the nurses were when you worked
8 there?

9 A. No.

10 Q. Does the name Shirley sound familiar?

11 A. It don't really dawn on me, you know. It's -- Like
12 I say, it has been a long time.

13 Q. Let's go back now --

14 A. I have a problem with names, but a face -- If I
15 could probably see her face, I might know her, you know.
16 Names I ain't too good with, but faces I never forget.

17 Q. Was there one nurse there when you worked there, or
18 were there others?

19 A. There was one nurse.

20 Q. Let's go back to your job on the second shift now.
21 Did you have a supervisor on that job?

22 A. There was never -- Nobody was there around me when
23 I was on that second shift. I never seen no bossman or no
24 nothing. We just knowed what to do and we went ahead and
25 done it.

1 Q. Did you have to check in with anyone when you got
2 to work?

3 A. We just punched a time clock just like everybody
4 else.

5 Q. What would happen if you had an emergency or
6 something when you were on the second shift? Who would
7 you report that to?

8 A. I don't even know who we would -- I guess we just
9 went in one of those buildings or something, I guess, and
10 reported it or something.

11 Q. You never had to report anything while you were
12 working second shift?

13 A. No.

14 Q. Did you used to see (b) (6) and (b) (6) [REDACTED]
15 before -- or when you reported in before they left?

16 A. Yes. Well, see, now, a lot of times, see, (b) (6) [REDACTED]
17 was out on the road a lot, even. He took his place-- He
18 took his stuff. I don't know what he took, but he went to
19 like California and Oregon, and he would be gone like a
20 week or two, you know, and I would fall in and take day
21 shift, too, see. I worked a lot in days.

22 Q. Who would you work with when you took over on the
23 day shift?

24 A. I worked with (b) (6) [REDACTED]. We would all three
25 come in on the same shift then and work, the three of us.

1 Q. Who worked second shift, then, when you did that?

2 A. They didn't pull no second. The way we -- Like a
3 lot of times we might work 11 and 12 hours a day, see,
4 then, picking it up.

5 Q. How often did that occur?

6 A. Oh, (b) (6) he was on the road, I'd say, probably --
7 a lot of times two weeks out of a month.

8 Q. But when you were working second shift, only, did
9 you ever talk to (b) (6) when you came in to work?

10 A. Yeah, ever now and again we -- They would be
11 a'coming out and we would be a'going in, you know.

12 Q. Did you ever have to talk to them about what the
13 status of things were or what needed to be done right when
14 you came in?

15 A. Yeah, sometimes (b) (6) would inform us, "You need to
16 go to so and so building, pick up this or that."

17 Q. Why would that be? Because there was maybe a lot
18 of waste outside that building?

19 A. Yes.

20 Q. Okay. I am going to show you what has been marked
21 Exhibit WWC 1000517 --

22 MR. WHEELER: I would like to make a
23 statement for the record. There is an agreement in this
24 case of the Liaison Committee that documents will be
25 identified as exhibits by a three-letter/seven-digit code.

1 In this case the document will be identified as WWC, which
2 reflects the fact that the orig-- that it is a copy of a
3 document at Warren Wilson College, 1000517, which reflects
4 the fact that it was part of Series 1 at the college, and
5 it is Bate-stamped Document 000517.

6 The reporter is directed by the Liaison
7 Committee to insert that number into the deposition
8 transcript wherever this exhibit is referred to as an
9 exhibit.

10 However, because as a practical matter it is
11 much easier in a deposition to refer the witness to
12 exhibit -- for example, this would be Exhibit 1 -- we are
13 going to continue to refer the witness to simply the
14 exhibit as numbered, as in this case, "Exhibit No. 1," and
15 to that extent the video tape will vary slightly from the
16 reporter's transcript, but the variance is in the Liaison
17 Committee's view not material and, in any event, it gets
18 terribly complicated and tongue-twisting to try to read
19 this, the entire lengthy letter/digit code, so we are
20 going to use the terms Exhibit 1 in this case, and the
21 record should just so reflect there is a variance between
22 the video tape and the reporter's transcript.

23 With that, I think we will proceed.

24 MR. WARREN: Also for the record, the witness
25 has trouble reading. He has a good grasp of numbers, and

1 I notice on this exhibit there are numbers, so I think he
2 could do that. But if you want to ask him some specific
3 building, if you would read -- if you'd read the caption
4 beside that number, then we will know that the witness
5 understands that.

6 MR. LANE: Fine.

7 Q. Let me ask you, then, (b) [REDACTED], during the time
8 that you worked there were most of the buildings referred
9 to by number?

10 A. Yes.

11 Q. Is that how you recognize most of the buildings, by
12 number?

13 A. Yes. Yes.

14 Q. That's fine.

15 (b) [REDACTED], I will represent to you that
16 this is a map of -- or a layout of the plant while
17 Northrop Carolina, Inc., had the plant. I would like you
18 to look at it and tell me whether it looks substantially
19 similar to the way the plant was laid out while you were
20 there.

21 A. Is this the entrance right here?

22 MR. WARREN: Down at the bottom, the witness
23 is pointing.

24 MR. LANE: Yes. Let the record reflect that
25 the witness is pointing to the bottom.

1 Q. Yes, the bottom would be where the entrance would
2 be.

3 MR. WARREN: 105 would be indicated right at
4 this point. 113 is indicated right here, listed as the
5 chemical plant.

6 THE WITNESS: What's this -- Is this -- This
7 is the testing building. There should have been another
8 building right in here where the -- That's where we eat
9 and everything --

10 MR. LANE: Okay.

11 THE WITNESS: -- where it comes up and Y's
12 off.

13 MR. WARREN: Do you want to -- Could we --

14 MR. LANE: That's fine.

15 Q. There is a building that you think is missing on
16 there, for the record?

17 A. Yeah.

18 Q. Do you know the building number?

19 A. I don't know. That's -- Like I say, that's where
20 we kept our coveralls. That's where we kept -- That's
21 where we eat our lunch and everything.

22 MR. WHEELER: Was it Building 128?

23 THE WITNESS: I guess it was.

24 MR. WHEELER: Okay. I think there is a
25 Building 128 shown on this map.

1 MR. WARREN: Wait just a second and we will
2 find it.

3 MR. WHEELER: It is in the left column.

4 THE WITNESS: It should have been right in
5 about this area. 105 -- Where is 105? Is that 105 here?
6 It should -- Well, it could be --

7 MR. WARREN: 128 shows this -- this little
8 one right -- Let's see. It shows it right there. If you
9 will indicate where you think the buildings were, then, I
10 think we are --

11 THE WITNESS: Yeah. It was just right
12 straight across from 105, so it is showing 105 here and
13 then the other one here, so I guess that could be --
14 possibility could be right.

15 Q. (By Mr. Lane) So for the record you are saying
16 that the building that's marked "128" is probably the one
17 that you thought was missing?

18 A. Yeah, it could be. I seen it -- That's where we
19 had our lunch, the cafeteria and all that.

20 Q. Other than that, does the map look fairly similar
21 to how you remember the facility being laid out?

22 MR. WARREN: If I could read this up here, it
23 says "Demolition Bunker, 137." 134 is "Explosive Test,"
24 and "Flare Testing" is 136. "Vacuum Test" is 125.
25 "Environmental Testing" is 134 [sic]. "Ballistics Test,"

1 124. "Storage," 117. "Storage," 119.

2 And then it goes over here: "Bulk Liquid
3 Storage, Processing, Processing," those two buildings.
4 "Quality Assurance Lab and Utilities" is 109 over here.
5 Then it goes on down.

6 I just wanted to give you the top part of it.

7 THE WITNESS: And this is on up where we
8 burned, the burning ground? Is this about where it is?

9 MR. WARREN: It says "Test Flight Range" with
10 an arrow to right here, and "Demolition Bunker" up here,
11 but if you see where you think --

12 MR. LANE: Yeah, we are going to get to the
13 burning ground in a minute. I would just like him to
14 identify some of the buildings right now.

15 THE WITNESS: I can remember in my mind, you
16 know, about how the road went around and all.

17 Q. (By Mr. Lane) Okay. Does -- Can you tell from
18 this map that it's similar to how the plant was laid out?
19 Does the map help you remember that?

20 A. Yeah. Well, the way it is drawn, that could be
21 going around -- Seemed like both of these went around the
22 mountain, like, you know, come down --

23 Q. Okay. When you say "these," are you referring to
24 roads?

25 A. Yeah. I don't think it is hardly drawn like it is.

1 really laid out on the ground, but, anyway, the
2 blueprints -- I read blueprints all the time, but they
3 don't really -- you know, every time don't look like it
4 would be on a natural ground, you know.

5 Q. Okay.

6 A. It ain't actually like it is drawn.

7 Q. But do you recognize some of the buildings on here
8 by number?

9 A. Oh, yeah, I remember a lot of these numbers.

10 Q. Okay. I am going to ask you -- We will give you a
11 pen here.

12 Can I just use this red pen, please?

13 Let me give you this marker. If you could,
14 could you circle the numbers of the buildings where you
15 routinely picked up waste, if you remember the building
16 numbers?

17 MR. WARREN: Just start on this side and go
18 down, and then start on this side and go down. Start --
19 This 110, Bulk Liquid Storage, do you recognize that?

20 MR. WARNER: Objection: leading the witness.

21 MR. WARREN: I am asking -- Because (b) has
22 difficulty reading, I want to make sure that (b) --

23 As we go down on the left side, that's the
24 first thing on the left side.

25 THE WITNESS: Well, I tell you the truth, on

1 this right here there wasn't but about two or three places
2 we didn't pick up, and that was more or less these storage
3 places right here. We picked up stuff from all these
4 other places, all down --

5 Q. (By Mr. Lane) Okay. That's fine, then. What I
6 will ask you to do, instead, then, is to put an X beside
7 the buildings where you didn't pick up waste.

8 A. That was --

9 MR. WARREN: Let me read (b) the storage
10 buildings on the right-hand side.

11 MR. LANE: All right.

12 MR. WARREN: 117 says "Storage" and 119 says
13 "Storage."

14 THE WITNESS: Yeah. I think right here is
15 about the only place we didn't pick up anything. That's
16 where they stored this stuff.

17 MR. WARREN: And then it says 123, "Storage,"
18 122 is "Assembly," 123, "Storage." 102 is "Machine Shop."

19 THE WITNESS: Machine shop, I don't think we
20 ever picked up there.

21 MR. WARREN: And then underneath that it says
22 "Administrative Offices and Stores," 101.

23 THE WITNESS: Now, that's -- We did go in
24 here and get their trash --

25 MR. WARREN: Okay.

1 THE WITNESS: -- so we got stuff there.

2 MR. WARREN: Now, on the left side it goes
3 down and 108 says "Storage" over here. Do you remember
4 any -- This would be around that circle.

5 THE WITNESS: Yeah, we didn't pick up much
6 from them storage buildings, because, you know, there
7 never was nothing really there to --

8 MR. WARREN: And then under --

9 THE WITNESS: That's where they stored the
10 stuff, really.

11 MR. WARREN: Under 105 it has 106, "Storage,"
12 and then it goes down: 116, "Waste Chemical," 128,
13 "Office and Change House."

14 Did you pick up anything at the Change House,
15 128? And then underneath that it says 104, "Research
16 Laboratory."

17 THE WITNESS: Yeah. We got stuff out of
18 there.

19 MR. WARREN: And then underneath that it says
20 121, "Storage."

21 THE WITNESS: Storage -- but these -- Like
22 the cafeteria, we got all the waste and paper cups and
23 drink cups and stuff out of the cafeterias and all this
24 stuff.

25 MR. WARREN: And 103, it says "Packing and

1 Shipping."

2 THE WITNESS: Yeah, we picked up trash there,
3 the papers and boxes and that.

4 MR. LANE: Okay. For the record, then, the
5 witness has put X's by Buildings 117, 119, 123, 102, 108,
6 106 and 121; is that correct?

7 MR. WARREN: That's correct.

8 Q. (By Mr. Lane) Before we move on, are there any
9 buildings that you remember that you picked up waste at
10 that you don't think appear on the map?

11 A. It sounds about like all of the buildings. I
12 believe it would probably be all there if you just --

13 The way it is laid out, it don't really look
14 like it is laid out the way it was.

15 Q. Okay. What is different about the way it's laid
16 out than from what you remember?

17 A. See, it went right up this hollow, the way I
18 remember it. You know, you come straight up this road.
19 Then you had -- Over here you had your place where you
20 eat, and this road come on around over here, and this is
21 where 105 -- it just come around, and these roads met back
22 up in here above 113.

23 Q. Okay. Let's refer to the map again. What is
24 different on the map? Is it just the way the roads --

25 A. Yes.

1 Q. -- are indicated on the map?

2 A. Well, see, they ain't showing this road a'coming
3 back into this road up here above like 113, see. It isn't
4 showing -- See, it ain't showing this road. It's just
5 dead-ended, but it didn't. This road just made a circle.

6 Q. Okay.

7 A. You could just about circle any of these roads and
8 come back and get on any road. They had -- That's the way
9 they had them laid off.

10 Q. Are there anything else -- or strike that.

11 Is there anything else on the map besides the
12 roads that are different from what you remember?

13 MR. WARREN: I think you are going to ask
14 (b) (6) -- Before you ask that question, could you ask (b) (6) to
15 clarify where the burning ground was, because I think if
16 you want to get into that -- If you want to say other than
17 that, then, that's fine. I just want to make sure he --

18 MR. LANE: Let's save the burning ground for
19 a minute --

20 MR. WARREN: All right.

21 MR. LANE: -- okay? We are not talking about
22 the burning ground yet.

23 Q. But besides the way the roads are laid out, is
24 there anything different about this map than from what you
25 remember?

1 A. You just have to be over there to really go through
2 it to see. You know, I don't know exactly how they got
3 this drawed. This is one building, see, and this come up
4 here like this.

5 Q. Which building are you referring to?

6 A. From 101, they got -- That's where the office was,
7 and you come up here. The way I look at this map, right
8 here should have been the place where you eat. Then you
9 come on up here. This is 113, and this come around over
10 this a'way to 105, and there's just a bunch of buildings
11 all the way around, but this road come right back into
12 this road.

13 Q. Okay. So some of the buildings might not be where
14 you remember them exactly?

15 A. Yeah. This road, it ain't laid out exactly right.
16 And this road come on around this a'way, and it went --
17 turned back up. There is a -- The best I can remember,
18 there was another testing lab over here in the hollow next
19 to -- I guess it was Bee Tree Creek. I believe it was a
20 testing -- some kind of a testing lab.

21 Q. Did that building have a number?

22 A. Yeah, but I don't really remember what the number
23 of it was.

24 Q. And you don't think it is shown on the map?

25 A. Have they got a testing lab over here where they

1 test --

2 MR. WARREN: 124 says "Ballistics Test."

3 THE WITNESS: That could be it.

4 MR. WARREN: And, then, up here it says
5 "Explosive Test," 134. 124 and 134.

6 THE WITNESS: It could be 124, because I
7 remember we went right by this lab every time we go to
8 the -- That's where we got rid of the waste, you know.

9 Q. (By Mr. Lane) Okay. You remember stopping and
10 picking up waste at that lab?

11 A. No, we never did get nothing at that lab. We
12 didn't bother -- We didn't have to bother that lab.

13 Q. So this is the lab that you don't think is on the
14 map. You never picked up waste there?

15 A. No.

16 MR. WARREN: Should we put an "X" right over
17 there by the --

18 THE WITNESS: Where is that?

19 MR. WARREN: Just where you drew that Lab 1.

20 THE WITNESS: Yeah.

21 Q. (By Mr. Lane) Okay. Besides those few buildings
22 that you mentioned and the roadways, is there anything
23 else that is different about this map from what you
24 remember?

25 A. Yeah. It just don't -- The map ain't drawned right,

1 period. If I was going to draw it, I could draw it a lot
2 different than that to make it look like the place exactly
3 was, you know. This map don't even really imitate the
4 place.

5 Q. Okay. Let's go back and talk about some of the
6 buildings where you did pick up waste. Do you remember
7 what type of waste you picked up at each building?

8 A. Yeah. Like you stop at some places, like I say,
9 you would pick up -- some of it would be like pellets.
10 Some of it --

11 Q. Would you remember by building number what waste
12 you picked up there, do you think?

13 A. I believe like -- It seemed like it was 114 or
14 something that had those pellets.

15 Q. Okay.

16 A. It was like going in on the end road. It was like
17 a building off to the side and I don't know -- Like I say,
18 I don't know what the number was, but it had pellets, and
19 most all these labs, we got a lot of liquids.

20 Q. Let's go back to the map and let's start at the top
21 with the buildings. If you could tell me, if you
22 remember, what type of waste you picked up at each
23 building, we'll do that; okay?

24 Let's start with Building 110. Do you
25 remember what you picked up there?

1 MR. WHEELER: Can we go off the record for a
2 second? Is that okay?

3 MR. WARNER: Certainly.

4 MR. LANE: We are off the record.

5 (Discussion off the record.)

6 MR. LANE: We are back on the record.

7 (A handwritten layout of the Northrop plant
8 prepared by the witness was marked Defendant's
9 Exhibit No. ALH 0000001 for identification.)

10 Q. (By Mr. Lane) (b) [REDACTED], you have drawn us
11 what's been marked Exhibit ALH 0000001. (b) (6) [REDACTED] could you
12 tell me what this is?

13 A. This is a map -- The way I drewed it, that's the
14 way I see'd it when I worked there.

15 Q. Okay. This is a map that you have drawn of how you
16 remember the layout of the Northrop plant?

17 A. Yes.

18 Q. And you have drawn some buildings on here. Can you
19 tell me what those are, how you chose those buildings?

20 MR. WHEELER: Why don't we start with the
21 lines --

22 MR. LANE: Yeah.

23 MR. WHEELER: -- instead of the buildings?

24 MR. LANE: Okay.

25 THE WITNESS: Well, down here is the entrance

1 right here.

2 MR. WARREN: Okay. Could we put an "E" right
3 there?

4 THE WITNESS: This is where you go in through
5 the gate right here; okay? The first building on the
6 left, that was the lab. That's where we picked up a lot
7 of chemicals. And actually we have -- I don't know if it
8 really was or not, but they said we have hauled as much as
9 seven, eight gallons of nitroglycerin out of that one
10 place.

11 Q. (By Mr. Lane) Excuse me for just a minute.

12 Are -- These lines that you have drawn on the
13 map, are those roads?

14 A. Yes.

15 Q. Those are the roads that you remember running
16 through the facility?

17 A. Yes.

18 Q. Okay.

19 MR. WHEELER: And are the squares that you
20 have drawn on here, or the rectangles, buildings by and
21 large?

22 THE WITNESS: Yes, yes.

23 MR. WHEELER: Okay.

24 Q. (By Mr. Lane) Are those buildings that you
25 remember?

1 A. Yes.

2 Q. Okay. Have you drawn all the buildings at Northrop
3 on this map?

4 A. No, I don't believe they are all on here, because
5 there was a lot of them that was underground, and it's
6 hard to remember, like I say, from (b) years. It is
7 hard to remember exactly every point, you know, and
8 station there was on that building. If I was over there I
9 could just about -- I could just about -- you know, if I
10 was driving around, I could just about tell you, but it
11 has been a long time ago.

12 Q. Let's start with the first building on the left.
13 You have that marked with an "L."

14 A. Yes.

15 Q. What is that building?

16 A. That's the lab building.

17 Q. The next building up you have marked "105." What
18 was that building?

19 A. That's where they made the 124 flares.

20 Q. The next building has no marks at all.

21 MR. WHEELER: That's to the left? Okay.

22 MR. LANE: Yes. We are continuing up around
23 the circle.

24 THE WITNESS: In fact --

25 MR. WARNER: Forgive the interruption.

1 Proceeding counterclockwise on your map?

2 MR. LANE: That's correct.

3 MR. WARREN: I think you are proceeding --

4 MR. LANE: No. Clockwise.

5 MR. WARREN: -- clockwise.

6 MR. LANE: We are proceeding clockwise.

7 Clockwise. I'm sorry.

8 MR. WARREN: Because this --

9 THE WITNESS: I am not for sure, but I
10 believe there is another like a lab or something else in
11 above 105, the best I can remember.

12 Q. (By Mr. Lane) It's -- You said above 105?

13 A. Yes.

14 MR. WHEELER: And that's what that building
15 represents.

16 MR. WARREN: (b) is pointing now to the
17 building that --

18 THE WITNESS: I believe this is the lab
19 building.

20 Q. (By Mr. Lane) Could you put an "L" in that, also,
21 please?

22 MR. WARREN: (b) did.

23 MR. WHEELER: Why don't we have that "L2"?
24 That way we won't get confused.

25 MR. WARREN: All right.

1 Q. (By Mr. Lane) The next building, is that an "M"
2 you have put in that building?

3 A. Yes.

4 Q. What is that building?

5 A. This building was where they mixed up this -- they
6 mixed up powder, magnesium and all. That's what went into
7 these Mark 24 flares. Well, that's what I understand.
8 They told us that's what -- that's where they mixed it in
9 this thing like a big washing machine.

10 Q. Who told you about what they did in that building?

11 A. I don't know now, but it's just what they -- Well,
12 I had a (b) (6) [REDACTED] [REDACTED] [REDACTED]. I had another (b) (6) [REDACTED] --
13 See, I had (b) (6) [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED].

14 Q. What was the (b) (6) [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
15 (b) (6) [REDACTED]

16 A. (b) (6) [REDACTED] [REDACTED] [REDACTED]

17 Q. Is he still in the area?

18 A. (b) (6) [REDACTED] [REDACTED] [REDACTED].

19 Q. All right. Continuing around the map, there
20 appears to be another building that is not marked.

21 A. This building -- The best I can remember, this was
22 a storage building here. That's one of those metal
23 buildings they stored -- which I have been in this
24 building. They had those barrels of powder.

25 Q. You put an "S" by that?

1 A. Yeah. I am going to say it is a storage building.

2 Q. For storage, okay. You said they had barrels of
3 powder in there. Was that finished product? Was that the
4 product ready to be shipped?

5 A. No. That was before -- Now, a lot of times (b) (6)
6 would say he would have to go up here and get this powder,
7 which I never did transport it from here like over to
8 here.

9 Q. Okay. For the record, you are saying from the
10 storage building --

11 A. The storage building.

12 Q. -- to the building you have marked Building M?

13 A. I have knowed (b) (6) say they have to go over here
14 and get this and take it to here. You know, they would
15 move this powder from here to here.

16 Q. Did you ever do that?

17 A. No. I never did.

18 MR. WHEELER: You are pointing from "S" to
19 "M"; is that correct?

20 THE WITNESS: Yes.

21 MR. WHEELER: Okay.

22 Q. (By Mr. Lane) Do you know what that powder was?

23 A. I'd say it was the same powder. They called it
24 magnesium powder. I'd say it was the same powder to make
25 the Mark 24 flares.

1 Q. Did you ever pick up any waste outside that
2 building?

3 A. I don't believe we picked up no waste at that one,
4 this storage building, because actually they just moved
5 the barrels from there to here, and then we got the waste
6 from over there.

7 Q. Continuing on around, you have a building that's
8 unmarked. The next --

9 A. The best I can remember, this was where they made
10 the rocket engines --

11 MR. WARREN: Put an "R" there.

12 THE WITNESS: -- from my memory. That's
13 where they made -- They tested those rocket motors. You
14 could hear them every now and then. They'd start them up
15 and they would sound real bad. I know they had them tied
16 down. Now, we got -- We picked up stuff there.

17 Q. (By Mr. Lane) For the record you put an "R" there?

18 A. Yeah.

19 Q. Okay. Now, I see you have drawn another roadway
20 and we'll get to that in a minute, but let's continue on.

21 The next building is Building 113.

22 A. That was the CS building. That's where we picked
23 up this stuff, the flour.

24 Q. You said it was like flour?

25 A. Yeah.

1 Q. And then the next building it looks like you have a
2 "C" and it looks like you may have drawn a truck beside
3 it.

4 A. That's where we parked our truck down here. That's
5 where -- where we parked.

6 Q. What does the "C" stand for?

7 A. That's where we eat and kept our coveralls and
8 shoes and all this stuff and that.

9 Q. Did you pick up waste outside that building?

10 A. Yes.

11 Q. And then the next building you have is an "H."
12 This is down by the entrance.

13 A. This is where they had hand grenades and stuff like
14 this in this building.

15 Q. Was that a building where they made things?

16 A. Yes.

17 Q. Now, you have drawn a roadway off to the side and
18 you have a building beside that marked "L."

19 A. Well, this --

20 Q. First of all, is that a roadway --

21 A. Yes.

22 Q. -- that you have drawn on there?

23 A. Yes.

24 Q. What is the "L"?

25 A. This is a lab.

1 MR. WHEELER: Mark that as "L3," please.

2 THE WITNESS: (Complied.)

3 MR. WHEELER: Thank you.

4 Q. (By Mr. Lane) Did you pick up waste at that
5 building?

6 A. No.

7 Q. Do you know what went on in that lab?

8 A. No. I never -- We never did even stop at that lab.
9 I don't know why, but we didn't have no jurisdictions
10 there. We never did even have to stop or anything, so
11 they must have just done their own -- They must have had
12 something secret or something -- I don't know -- we didn't
13 know anything about.

14 Q. Now, the roadway continues up, and you have a large
15 area marked "B." What is that?

16 A. That's where we burned all this chemicals and stuff
17 that we picked up.

18 Q. Is that the burning ground?

19 A. Yes.

20 Q. Let me ask you before we move on to draw one other
21 thing on the map. You testified before about the -- where
22 Asheville Dye is now, where you burned cardboard.

23 A. Yeah.

24 Q. Could you draw that on the map?

25 A. That's this right here. That's down --

1 MR. WARREN: "A."

2 THE WITNESS: Huh?

3 MR. WARREN: Just put an "A" down.

4 THE WITNESS: Okay.

5 Q. (By Mr. Lane) For the record, that's inside the
6 circle at the bottom right-hand corner that you already
7 drew?

8 A. Yes.

9 MR. WHEELER: And what are the squiggly lines
10 just to the right of that?

11 THE WITNESS: That's ponds and water.
12 There's just a swampy area.

13 MR. WHEELER: Okay. Thank you.

14 Q. (By Mr. Lane) Are there any other buildings where
15 you picked up waste that you don't think are shown on this
16 map that you have drawn?

17 A. I am just trying to think in my mind, there's so
18 many of them. There's --

19 Q. Well, if you don't remember, we can just work with
20 the ones we have here. That's fine.

21 A. Yeah. I know at each and every building, besides
22 those storage buildings, we picked up some, but, you
23 know --

24 Q. Let's go back, then --

25 A. We would have to go back over there and just look

1 at them until you can really tell.

2 Q. Let's go back, then, to the bottom of the map, to
3 the building marked "L." What type of waste did you pick
4 up there?

5 A. This is where we picked up all kind of chemicals.
6 It was more or less -- That's about what we got here, is
7 it would be chemicals.

8 Q. What were those contained in?

9 A. Well, sometimes they would be like in buttercups
10 and then, again, it would be open barrels, and the stuff
11 would be bubbling a lot of times, and some of it would be
12 red and some yellow and some of it clear.

13 Q. The stuff, itself, would be red and yellow?

14 A. Yes.

15 Q. Did you ever have big drums of things that you
16 picked up there?

17 A. Most of the time they kept -- They didn't put it in
18 no like, you know -- Well, in a lot of areas they would
19 have 55-gallon barrels, but most places (b) (6) would get on
20 them because they would get them too big and heavy, and we
21 couldn't load them, you know, and he had them to put like
22 in little 30-gallon barrels, is what we usually had at
23 each stop.

24 Q. Were there any 30-gallon barrels at this lab?

25 A. No. I'd say it was all just small barrels.

1 Q. Did anyone ever tell you what you were picking up
2 there?

3 A. No. We didn't even know what we was a'getting.

4 Q. Were any of the containers ever marked?

5 A. I believe some of them every now and again would
6 have some writing on them. Like a lot of times there
7 would be some stuff like in a styrofoam cup, and it would
8 have markings, but I don't remember what, you know, would
9 be marked on that. I don't remember, it's been so long
10 ago.

11 Q. Would this cup be a small styrofoam cup?

12 A. Yes, like a coffee cup.

13 Q. Were those types of containers closed?

14 A. Yes.

15 Q. Did they have lids on them?

16 A. Yes.

17 Q. Were the lids held on?

18 A. Yes. A lot of times they would put -- have tape
19 across some of them.

20 Q. Did you ever pick up anything at that lab that was
21 in bags?

22 A. To tell you the truth, I don't remember. Bags -- I
23 remember all of it in barrels. I know some of it would be
24 a'working, you know, just bubbling like.

25 Q. Was most of the stuff you picked up at that lab

1 liquid?

2 A. Liquids, yes.

3 Q. Were there any solids, powders or anything like
4 that?

5 A. Not as I remember.

6 Q. What would you do with the things you picked up
7 from the lab when you put them on the truck?

8 A. We'd take them up to this burning ground, put them
9 in a ditch.

10 Q. Would you separate them on the truck in any way?

11 A. Yes.

12 Q. Why did you do that?

13 A. Because they was -- They told us we could -- you
14 know, if you mix like one or two things together you would
15 react -- have a fire, you know, just like striking a
16 match.

17 Q. How did you learn that?

18 A. By (b) (6)

19 Q. (b) (6) told you that?

20 A. Yeah.

21 Q. Did he tell you who taught him about not mixing
22 things?

23 A. No, he didn't tell me that.

24 Q. Did you ever put the stuff you got from that first
25 lab in larger plastic bags or anything like that?

1 A. Well, most of the time we had -- We had our barrels
2 on our truck, and most of the time we would just take --
3 They had it in plastic barrels, if it was to where we
4 could move it, but if we couldn't, we would just take it
5 and pour it into our barrels and leave their barrels
6 there, you know, because they had to have barrels to put
7 their stuff back in, see.

8 Q. When you poured this liquid from their barrels into
9 your barrels did you ever mix that with anything else --

10 A. No.

11 Q. -- later on at one of the other buildings?

12 A. No.

13 Q. Did you ever have to go directly from this lab to
14 the burning ground, even when the truck wasn't full, just
15 to get rid of the stuff?

16 A. Yeah, yes.

17 Q. Okay. Moving on to Building 105, what type of
18 waste did you pick up there?

19 A. 105, that would be pick up those little old -- a
20 lot of them was -- they -- it looked something like a
21 match, the red on the match. And they was some of them
22 yellow like, you know, about the same kind of stuff. It
23 looked like it had been poured on a cloth, is what it
24 looked like.

25 Q. Was this a liquid?

1 A. No. It was like a dry washer of a thing.

2 Q. So something that looked like it had been poured on
3 a piece of cloth that was a liquid, but then it dried out?

4 A. Yeah.

5 Q. How did you get that stuff? Was it on the cloth
6 when you got it?

7 A. Yeah. It would be in a barrel.

8 Q. It was in a barrel?

9 A. (Nodding head up and down.)

10 Q. Did they have one or more barrels out there?

11 A. Oh, they had, I'd say, three or four barrels.

12 Q. Would you take the whole barrel and put it on the
13 truck?

14 A. Yeah. See, now, a lot of times if they had a red
15 barrel, a white barrel, instead of switching all this
16 stuff, see, we would take the white barrel, instead of --
17 you know, give them our barrel and put -- take their
18 barrel and take it on to the burning ground, see.

19 Q. So outside some of the buildings there were
20 different colored barrels?

21 A. Yes.

22 Q. Do you remember what colors those were?

23 A. Black, red and white.

24 Q. Was this outside all the buildings or just some?

25 A. Yeah, they had all the buildings more or less

1 marked that had all this stuff. They kept it separated.

2 Q. What did the red, white and black barrels mean to
3 you?

4 A. It would mean not to separate that stuff -- you
5 know, I guess they had -- like when they would put a
6 certain color, you know, or something in white, I guess
7 they kept it in that all the time, and certain other kind
8 of stuff, they kept it in the red or the black.

9 Q. Did anyone ever tell you what was kept in each
10 color?

11 A. No.

12 Q. And then did you have similar colored barrels on
13 your truck?

14 A. Yes.

15 Q. And you would put things from the red, white and
16 black barrels into your red, white and black barrels?

17 A. Yeah. We kept it separated, too, before we would
18 get it mixed up.

19 Q. Okay. Getting back to 105, was there anything else
20 there that you can remember besides this red match
21 material?

22 A. Yeah. Now, they -- We picked up a lot of those. I
23 don't know if they didn't get them packed right, like
24 those flares. We picked up as high as 600 and 700 of
25 them, just a cardboard tube, and it had a parachute cord,

1 and it had a -- you know, just like a -- Oh, it was that
2 long [indicating].

3 Q. These were actual finished flares?

4 A. Yes. Well, some of them was and some of them
5 weren't, some of them just in a brown cardboard tube, and,
6 then, a lot of them, they'd went on further process. They
7 would be in an aluminum-like tube.

8 Q. Did any of the flares that you picked up outside
9 105 have any explosive material in them that you know
10 about?

11 A. Well, just full of powders. Just a solid tube of
12 powder is what they were.

13 Q. So a lot of them did have powder in them?

14 A. Oh, yeah. You know, they was loaded with powder.

15 Q. Did you have to do anything special with those when
16 you put them on the truck?

17 A. Well, we just -- They was about, I'd say, 16,
18 18 inches long, and we would just stack them just like
19 stove wood up in that truck and then take them up there
20 and place them off, and that's where we would get rid of
21 them.

22 Q. Did you put those in any of the barrels --

23 A. No.

24 Q. -- the red, white or black barrels?

25 A. No. We'd stack them up just like stacking wood in

1 a truck.

2 Q. Was there anything else outside 105 that you
3 remember?

4 A. I was trying to think. I don't believe -- Seemed
5 like that's about the only thing they fooled with, is just
6 those flares and those little old red washers and stuff
7 like that. They never did have no liquids or nothing
8 there.

9 Q. Let's go on to "L2," Building L2. What did you
10 pick up outside that building?

11 A. I believe that was another lab. Seemed like we
12 would get about the same stuff there that we picked up
13 down here in this lab. You know, there would be all
14 different kinds of clear chemicals.

15 Q. A mixture of types of chemicals?

16 A. Yeah.

17 MR. WHEELER: You are pointing to the lab --
18 or the building that's marked "L"; is that --

19 THE WITNESS: "L2"?

20 MR. WHEELER: No. Just before you said the
21 same kind of building.

22 THE WITNESS: Yeah. It would be about --
23 There was about the same kind of stuff that we picked up
24 from "L."

25 MR. WHEELER: Okay.

1 Q. (By Mr. Lane) Did anyone in Building L2 tell you
2 what they were giving you?

3 A. No.

4 Q. Let me ask you a question: Did the stuff you got
5 from Building L and L2 change, or was it the same type of
6 stuff all the time?

7 A. No. It changed, you know.

8 Q. Was the material in L2 packed any differently than
9 the material in Building L?

10 A. They were pretty well about the same, I'd say,
11 about the same.

12 Q. So some small containers?

13 A. Yeah.

14 Q. And some stuff was kept in barrels --

15 A. Yeah.

16 Q. -- large barrels? Did you have to separate the
17 material from Building L2 any differently than you did
18 from Building L?

19 A. About the same.

20 Q. Let's move on to Building M. What type of waste
21 did you pick up from there?

22 A. That would be powder.

23 Q. What type of powder, do you know?

24 A. It was just a black -- looked like black gunpowder
25 to me, you know. It would be loose in barrels.

1 Q. Did you know it was gunpowder? Did someone tell
2 you?

3 A. Well, I just consumed [sic] that's what it looked
4 like, you know, gunpowder.

5 Q. You said the powder was in barrels. What color
6 were the barrels?

7 A. I believe they kept -- I believe it was in black
8 barrels. I believe that's what all that powder was in.

9 Q. Were there red and white barrels outside that
10 building, as well?

11 A. I don't believe they was on that building. More or
12 less, they just used the black barrels. There could have
13 been some other barrels, because I believe they mixed some
14 other kind of stuff with this. I do know they mixed that
15 stuff.

16 The best I can remember, too, this stuff,
17 where they mixed this, looked something like -- I believe
18 they did. It was that old clear-looking stuff they mixed
19 with this. That's when they put it in that thing and stir
20 it up. I have watched it stir.

21 Q. Was that clear stuff a liquid?

22 A. Yes.

23 Q. And they mixed that with the black powder?

24 A. Yes.

25 Q. You said you watched them mix that. Did you watch

1 them in the building you have marked "M"?

2 A. Yes.

3 Q. But the waste from that building that you picked up
4 was mostly just the powder?

5 A. The powder and the -- Yeah, there would be some
6 liquids, white liquids.

7 Q. Was the white liquid mixed in with the powder in
8 the black barrels when you picked it up?

9 A. No. It would be -- More or less they would have
10 it, you know, in the white barrel, and -- The best I
11 remember, that old stuff from that building was just like
12 old syrup or something. It was like a sticky like --

13 Q. Now, that was the white stuff --

14 A. Yeah.

15 Q. -- and not the powder?

16 A. Yeah.

17 Q. Did you keep it separate, then, when you put it on
18 the truck?

19 A. Yes, yes.

20 Q. And you took that material to the burning ground?

21 A. Yes.

22 Q. Can you remember anything else that you took from
23 that building marked "M"?

24 A. Not as I remember. I believe that was about all at
25 that building that we ever picked up.

1 Q. Let's go to the building now that you have marked
2 "S." I believe that is a storage building.

3 A. Yes.

4 Q. And did you testify that you didn't pick up any
5 waste from that building?

6 A. No, I never did pick up anything from that storage
7 building.

8 Q. Then let's move on to Building R. I believe that
9 was the building where they made rockets.

10 A. Yes.

11 Q. What kind of waste did you pick up there?

12 A. We picked up stuff from this building that looked
13 just like salt blocks. Do you know what a salt block
14 looks like?

15 Q. No. Can you explain it to me?

16 A. All right. It's like a cow licks on to get their
17 salt. It's just like a sucker block or something. That's
18 the way this stuff looked, just like it has been
19 compressed into --

20 I don't know what all kind of chemicals this
21 had in it, but it was just a hard block.

22 Q. What color was the block?

23 A. Sometimes it would be green. Sometimes it would be
24 pink and sometimes white.

25 Q. Was it like a rock --

1 A. Yeah, just pressed in.

2 Q. -- or was it more powdery?

3 A. It was like a rock.

4 Q. Could you break it apart with your hands?

5 A. I never did try it, to tell you the truth. It
6 looked hard, you know. It was just like an old cow salt
7 block.

8 Q. Was it pretty strong? Did it -- If you dropped it,
9 would it stay together?

10 A. Oh, yeah, we picked it up. It would be -- come in
11 big blocks. We would pick it up and lay it on the truck.
12 We also done away with it.

13 Q. Now, how were these blocks put out behind that
14 building?

15 A. Some of them would be just -- looked just like a
16 big old -- a big washer. It would be in a thing that
17 looked something like that, like a doughnut.

18 Q. It was shaped like a doughnut?

19 A. Yeah, only it would be like three foot across it.

20 Q. Okay. That would be how the stuff, itself, was
21 formed?

22 A. Yeah.

23 Q. So it wasn't a block; it was more like a doughnut?

24 A. Yeah, like a doughnut.

25 Q. Would it be loose or would it be in a barrel or a

1 box or --

2 A. I believe, the best I remember, they just had it
3 laying on a flat crate. That's how we picked it up, just
4 on a wooden crate.

5 Q. You picked that directly up?

6 A. Yeah.

7 Q. Did you wear gloves when you were doing this?

8 A. Yes.

9 Q. Was there anything else outside that building that
10 you remember?

11 A. I don't really remember, it has been so long.

12 Q. Okay. Let's move on to Building 113, then. What
13 type of waste did you pick up outside Building 113?

14 A. That's where we picked up that white stuff.
15 That's -- We picked up like those little old hats they
16 wear and filters, a lot of rags and everything in the
17 world there, just eat up with that stuff there.

18 Q. Do you know what the white stuff was?

19 A. They told us it was that tear gas. I know it would
20 take your breath.

21 Q. Was that CS?

22 A. Yeah.

23 Q. Did you actually pick up the CS powder, itself --

24 A. Yes.

25 Q. -- outside that building? What would that be

1 contained in?

2 A. It would be -- They would have it in plastic bags,
3 but it would be -- you know, the plastic bag would fall
4 down and it would just be a setting there.

5 Q. Would these be big plastic bags or small ones?

6 A. Yes, like a 30-gallon barrel bag.

7 Q. Would the bags be in a barrel or just by
8 themselves?

9 A. Most of the time they would set them on the ground,
10 or sometimes they would be in a barrel or --

11 Q. Were the bags closed?

12 A. No.

13 Q. They were --

14 A. A lot of times they would just take and lay them
15 filters out. They just pack them up on the ground and
16 we'd pick them up.

17 Q. Okay. Well, I am talking about the powder, itself.

18 A. Yeah.

19 Q. You did pick up bags of powder, itself?

20 A. Yeah.

21 Q. Were those bags closed?

22 A. Sometimes they would be and sometimes they wouldn't
23 be.

24 Q. What did you do with the bags of the CS powder that
25 you picked up out there?

1 A. We would stack it on the truck, take it up there
2 and burn it.

3 Q. Okay. Would you keep that separated from other
4 things?

5 A. Yes.

6 Q. Okay. Did you ever put it in any of your barrels?

7 A. I guess we just -- We might have.

8 Q. Did you put it in any particular color barrel?

9 A. The best I remember, we just stacked that stuff
10 right on the tailgate of the truck. I don't think we
11 stuck it in no barrels.

12 Q. Where did the filters come from that you picked up?

13 A. They was coming from out of that building
14 somewhere.

15 Q. What did the filters look like?

16 A. Just like a furnace filter or an air-conditioner
17 filter, just a big old square filter.

18 Q. How big were they, do you know?

19 A. I'd say they would be 2-by-2 square.

20 Q. Two feet by two feet?

21 A. Yeah.

22 Q. Do you know where those filters came from?

23 A. No. They would have to come from out of that
24 building, I would say. I never did go in that building.
25 I never did have no desire. We always -- We would go to

1 that place and get that. I always dreaded that stop.

2 Q. Why is that?

3 A. Because that stuff would take your breath so bad.
4 You had -- You know, I know we had to get it up. You have
5 to get down on your knees sometimes or run a way down the
6 road to get your breath.

7 Q. Did this happen almost every time you stopped
8 there?

9 A. Just about every day.

10 Q. Did you have to wear any protective clothes whe
11 you stopped at that building?

12 A. We just wore coveralls.

13 Q. Did you wear a mask?

14 A. No.

15 Q. Where did you pick up the waste from Building 113?

16 A. Just straight across the road.

17 Q. Across the road from the building?

18 A. Yeah.

19 Q. Who carried it from the building to across the
20 road, do you know?

21 A. Must have been some of the employees.

22 Q. Some of the production workers?

23 A. Yeah.

24 Q. These filters, again, were those covered with the
25 white powder?

- 1 A. Yes.
- 2 Q. What were the filters contained in?
- 3 A. You mean what are they made out of?
- 4 Q. No. When they were set out, were they set out by
- 5 themselves or were they put in a bag?
- 6 A. Like I say, they -- I have seen them just stack
- 7 them filters out, just stack them right on the ground,
- 8 just stack them there. And sometimes they would have them
- 9 setting in a bag with the plastic bag fell down off of it.
- 10 I have seen rags and everything in the world in there with
- 11 it all covered up white.
- 12 Q. Did the filters look like they had been washed off?
- 13 A. No. Just solid white.
- 14 Q. Did they have powder on them?
- 15 A. Yeah, just solid white.
- 16 Q. You also picked up rags --
- 17 A. Rags.
- 18 Q. -- from that building?
- 19 A. Yeah.
- 20 Q. What were those in? Were they in a barrel?
- 21 A. No. They would just be piled up, just like -- A
- 22 lot of times they would be in sacks, and again, they would
- 23 just be stacked up or piled up in a pile.
- 24 Q. Were these small rags?
- 25 A. Yeah.

1 Q. Do you know what those were used for?

2 A. I don't know. Just to wipe something or --

3 Q. Did they have the CS powder on them?

4 A. Yes. They would be all white, also.

5 Q. And you mentioned that you also picked up some
6 clothing from that area. What was that?

7 A. I never did get no clothing. It would just be them
8 old rags and them filters and --

9 MR. KADEFF: I believe he said masks.

10 THE WITNESS: Oh, the little white -- I guess
11 it looked like little white caps. It looked like cloth
12 and then a string on it. I don't know what --

13 Q. (By Mr. Lane) Like hoods or something?

14 A. Hoods or something, yeah.

15 Q. Do you know what those were used for?

16 A. No. I never -- never did go in that place.

17 Q. Did those have CS powder on them, also?

18 A. Yes, they would also be white.

19 Q. Would these be laying out with the rags --

20 A. Yes.

21 Q. -- in a pile?

22 A. Yes.

23 MR. WHEELER: Can we go off the record for
24 just a second?

25 (Discussion off the record; recess.)

1 MR. LANE: We are back on the record.

2 Q. Before we took that break I was asking you about
3 the hoods, and I think my question was were those just
4 contained in the pile with the rags?

5 A. Yes.

6 Q. When you picked up the bags of the CS powder,
7 itself, did any of the powder ever get on you?

8 A. Oh, I'd say. It would cover you up sometimes.

9 Q. What happened when the powder got on you?

10 A. It would burn you just like a match. It would
11 leave blisters on you.

12 Q. Okay. You felt burning from that powder?

13 A. Oh, yeah. We have had to go get --

14 Q. Did any of the powder, itself, ever fly up into
15 your face from the bags?

16 A. Oh, yeah.

17 Q. What would happen then?

18 A. It would take your breath. You would have to get
19 out of it, you know. I have got down on my knees before
20 to get out of that stuff. Run, you know.

21 Q. If you got away from it, would you feel better
22 after that?

23 A. Yeah.

24 Q. Did you notice the same type of reaction when you
25 picked up the filters?

1 A. Oh, yeah. You worked in that stuff any way or any
2 how, you got around it. It -- That stuff was just like
3 flour. It would fly all over that place, if you pick it
4 up. You couldn't handle it easy enough that it wouldn't
5 fog on you.

6 Q. You testified that you actually picked up piles of
7 the filters and put them on the truck by themselves.

8 A. Yes.

9 Q. Would you notice the same reaction when you picked
10 up these filters as when you picked up the CS powder in
11 the bags?

12 A. Yes.

13 Q. What about with the rags that were out in the pile?
14 Did you get a reaction from those?

15 A. Yeah, anything -- Like I say, any time you pick up
16 any of that from that building, you couldn't handle it
17 easy enough to keep it from fogging. It would just be a
18 white cloud of it, just like a powder puff, you know.

19 Q. And the hoods, also? Did you have a reaction when
20 you picked those up?

21 A. Yes.

22 Q. Did you have a special place on the truck where you
23 put all the waste from Building 113?

24 A. No. We just more or less stacked it up on the back
25 end of the truck.

1 Q. Did you --

2 A. There wasn't much else you could do. We didn't try
3 to take time to put it in no other different deal, you
4 know, to get rid of it. We'd just get it on there and
5 take it up there and get rid of it as fast as we could,
6 you know, because we wasn't going to handle that no more
7 than we had to.

8 Q. Did you have gloves on when you picked up the stuff
9 from Building 113?

10 A. Yes.

11 Q. Did you ever put any of the waste from Building 113
12 into any of the barrels on your truck?

13 A. I don't think we really put it in barrels. That
14 stuff was powdery and -- Well, just like I was saying,
15 this guy that worked with me one day, we was loading some
16 of that stuff, and old (b) (6) -- and he got a bunch of
17 that stuff fogged in his face, and his face turned just
18 blood red, you know, just like it was burnt.

19 Q. When was this, do you recall?

20 A. I don't know exactly when it was, but I know it was
21 sometime during when we was working.

22 Q. Was it during the day shift or the night shift?

23 A. Yeah, it was in the day shift.

24 Q. Do you know where the powder came from that he got
25 on his face?

1 A. Well, it seemed like we picked something up, and he
2 was like upwind to us and some fell off, and when it did
3 that it just covered him up.

4 Q. What did he do after it covered his face?

5 A. He had to go and shower off. It got all over him.

6 Q. Did he go see the nurse?

7 A. Yeah.

8 Q. What did she do?

9 A. Give him some -- give you some of that salve stuff
10 to rub on you for it.

11 Q. Did he report that to anyone?

12 A. It seemed like he did.

13 Q. Do you know who it was?

14 A. I don't know, but I know he went down there to that
15 nurse, and she give him a bunch of that salve, and he
16 rubbed it all over his face and stuff. It looked just
17 like he had been burnt.

18 Q. Was he off work for that?

19 A. No.

20 Q. He stayed on?

21 A. He stayed -- He come on back to work.

22 Q. And you don't know if he reported it to any
23 supervisors or anything?

24 A. No. Well, we was so used to, you know, a'working
25 in it all the time, you know, and getting it and all, we

1 just -- You know, you get 'mune to stuff after a while,
2 you work in it long enough. You get to where you can
3 stand it a little bit, if you keep fooling with it every
4 day and day in and day out. You'll get 'mune to it. You
5 can handle it a little bit after a while.

6 Q. Did that happen to you?

7 A. I have got it, but not as bad as he got it.

8 Q. But you did get immune to it later on?

9 A. Yeah, you get to where you can work with anything,
10 after you fool with it long enough.

11 Q. So it was --

12 A. I don't know what it might do to you, but you can
13 still -- You keep fooling with stuff every day in and day
14 out, you get to where it don't bother you too bad, you
15 know.

16 Q. So it was easier to pick up the waste outside 113
17 after you had been there for a while --

18 A. Yeah.

19 Q. -- than it was in the beginning?

20 A. Yeah.

21 Q. You testified before that you dreaded stopping at
22 113. Was it just because of the reaction you would have
23 to picking up the waste there?

24 A. Yeah. Oh, yeah. It would take your breath
25 completely away. You would get to where you couldn't

1 breathe.

2 Q. Did you ever go inside Building 113?

3 A. I never was inside the door.

4 Q. Did they ever ask you to clean up anything inside
5 Building 113?

6 A. No.

7 Q. Do you know whether they asked your partner,
8 (b) (6) to clean up the inside of
9 Building 113?

10 A. No.

11 MR. WHEELER: Can I ask -- or interject
12 something? Who is "they" in that question?

13 MR. LANE: It is (b) (6).

14 MR. WHEELER: No. I mean, who at -- In other
15 words, the question is vague, because you have used a
16 "they" without an appositive to it.

17 MR. LANE: Okay. Well, let me rephrase the
18 question.

19 Q. Were (b) (6) or (b) (6)
20 ever asked to clean out Building 113?

21 A. No. We never did -- We never did go inside that
22 building to get anything, you know. They set -- What they
23 wanted us to take off they set out to get rid of it.

24 Q. Okay. So, to your knowledge, they were never
25 inside the building, either?

1 A. No, not to my knowledge.

2 Q. Let's move on to the building you have marked "C."
3 What type of wastes did you pick up outside that building?

4 A. Now, this -- That was where we eat and stuff, and
5 we just picked up paper cups and waste like out of a
6 restaurant, you know, just --

7 And, too, this building here had all the
8 office buildings in it, you know, like for the
9 superintendents and foremen and stuff like that, I'd say
10 more or less superintendents and stuff like that. That's
11 what that building was.

12 Q. So you just picked up trash outside that building?

13 A. Yeah.

14 Q. Was that trash contained in plastic bags or
15 anything?

16 A. Yeah. It was still in plastic bags, even though,
17 you know, it was just cups and stuff where people drunk
18 and eat.

19 Q. Where did you take that waste?

20 A. Most of the time it went to the burning ground, the
21 lower -- out of the lot back here, "A."

22 Q. Oh, it didn't go to the burning ground you have
23 marked "B"? It went to the other burning ground --

24 A. Yeah.

25 Q. -- where Asheville Dye is now?

1 A. Yeah.

2 Q. Why did it go there instead of the upper burning
3 ground?

4 A. I don't know, but they didn't -- they never did
5 burn -- Like the cardboard boxes and cups and stuff, they
6 always took it out down to the lower burning ground.
7 Lumber, if they had any crates of anything come in, it all
8 went outside the gate and burnt.

9 Q. Now, for the record, the lower burning ground is
10 where Asheville Dye is?

11 A. Yes.

12 Q. Is that what everyone referred to as the lower
13 burning ground?

14 A. Yes.

15 Q. Who told you to take cardboard and materials like
16 that to the lower burning ground?

17 A. Well, (b) (6) and them, that must be where they had
18 it lined up for them to take it, you know, even though
19 when I worked with him that's where he took it -- took it
20 to.

21 Q. Now, if you had both cardboard and other types of
22 waste on the truck when the truck was full, would you go
23 to the upper burning ground and then back down to the
24 lower burning ground?

25 A. Well, see, we would always go and get rid of this

1 explosives and everything. Then we had a place that we
2 set all those barrels off. See, we had to unload the
3 whole truck, every barrel on the truck off.

4 Then we would go load the paper, the boxes,
5 the wood, get all this -- We'd go -- We'd know where to go
6 around to pick all this other stuff up, you see. We'd get
7 all that, and then we would go through the gate.

8 We'd stop at the gate, and they would give us
9 matches there, see, and then we'd take it on down and we'd
10 burn it with matches and then come back, turn your matches
11 in, come on back, and then you'd put your barrels back on
12 and go pick up the -- this other stuff.

13 Q. Why would you have to stop at the gate to pick up
14 matches?

15 A. You didn't have no matches. That's the only way
16 you could get it to burn anything. You couldn't get in
17 here with no -- nothing to burn with. You couldn't have
18 no open flames.

19 Q. You weren't allowed to carry matches on the plant?

20 A. No --

21 Q. Then you would have no --

22 A. -- lighters or nothing. You couldn't take no kind
23 of -- no kind of fire and stuff in, you know, open flame.

24 Q. And you would have to stop and drop off the matches
25 when you came back in?

1 A. Yes.

2 Q. Was the lower burning ground outside the gate?

3 A. Yes.

4 Q. Let's move on to Building H. What type of waste
5 did you pick up outside that building?

6 A. This building had like hand grenades and pellets,
7 and I remember some things that you could -- When you
8 light this, this burning ground --

9 I remember we picked up some little old
10 things looked like a black water hose, and we picked up a
11 bunch of these things at -- one day at this place here,
12 and we took them up there and we ignited that burning
13 ground, and these things, you should have heard them, and
14 we could see them. See, we had a big mirror.

15 We was underground when we light that stuff
16 with that powder, and these little old things, well, they
17 might have been this long [indicating] --

18 MR. WARREN: Indicating about eight inches.

19 THE WITNESS: Yeah. And them things were
20 spinning all over the place. You could just see them.
21 They was a'popping and a'cracking -- pow, pow, pow -- you
22 know. It was like it was a --

23 Q. (By Mr. Lane) Now, this was something you picked
24 up outside of the building you have marked "H"?

25 A. "H." That was a pellet. I don't know what that

1 stuff was used for, but I remember, you know --

2 About every time you burned that, you
3 could -- when you picked them up, it looked like about an
4 eight-inch piece of black water hose, and when you set
5 that off up on the burning ground you could hear them
6 little old things. They would, you know, go all over the
7 air.

8 Q. How often do you remember that happening?

9 A. We picked up there -- We would get that kind of
10 stuff, I'd say, once a week or something.

11 Q. So most of the stuff outside Building H was just
12 various types of explosives and things like that?

13 A. Yeah, like the hand grenades, them pellets, little
14 black things. I don't know what they were. They must
15 have been used in some of those --

16 Q. Do you know why --

17 A. Like they did make a shell there, too.

18 Q. Do you know why these parts were being thrown away?

19 A. I don't. No, I don't.

20 Q. Were you ever given any special instructions as to
21 how to handle the stuff outside that Building H?

22 A. No.

23 Q. How would it be placed out to be picked up?

24 A. It would be in little old wooden crates.

25 Q. Would you pick up the entire crate, or would you

1 empty the crate and put it back?

2 A. Most of the time we would pick up the whole crate
3 there, because it would already be in the crate. We would
4 just set it up on the back of the truck.

5 Q. Was there anything ever outside that building that
6 was put in barrels?

7 A. No. I believe most all that stuff, it was just a
8 dry -- like powders, and it would be in a -- Well, I
9 believe there was, too, like those pellets would be in a
10 barrel.

11 Q. Do you know what color that barrel was?

12 A. Black.

13 Q. Did you put it in a black barrel in your truck?

14 A. Well, either -- We would either pour it in another
15 barrel, black, or either take that barrel and give them
16 the barrel, black, back; see? That's the way we did a
17 lot.

18 Q. And did you also take these explosives, all of
19 them, up to the burning ground?

20 A. Yes.

21 Q. Did you ever have to take any of them any place
22 else?

23 A. No.

24 Q. What type of truck did you use when you hauled
25 it --

1 A. It was a big old flatbed International. I guess
2 the bed must have been 25 foot long on it.

3 Q. Was that truck owned by Northrop?

4 A. I don't know if it was owned or just a -- leased.
5 I believe they just had that truck leased, the best I can
6 remember.

7 Q. It was a rented truck?

8 A. Yeah.

9 Q. Was there any equipment on the truck to help you
10 lift things?

11 A. No.

12 Q. How did you lift things?

13 A. Just by hand. Sometimes two people lift it, or,
14 you know --

15 Q. Did you ever use any forklifts or any other
16 equipment?

17 A. No.

18 Q. What type of clothing were you given to wear when
19 you were doing the waste detail?

20 A. We had these old green coveralls.

21 Q. Were they in pretty good shape?

22 A. Yeah, they was in pretty fair shape.

23 Q. Did you get different coveralls while you were
24 working there, or were you issued the same pair all the
25 time?

1 A. I am just trying to think. I believe they issued
2 you like a couple of pair a week or something, the best I
3 can remember.

4 Q. Did you pick up a new pair every day you came in or
5 just a couple of times a week?

6 A. A couple of times a week, I think, about what we
7 got. I don't think we had a pair for each and every day.

8 Q. Were the uniforms washed frequently, do you know?

9 A. I don't have any idea. We would just take them and
10 hang them up, throw them down. Then the next day you
11 would get you another pair, if you could find a pair,
12 whatever, you know.

13 Q. What would happen if you couldn't find a pair?

14 A. Most of the time you could find a pair laying
15 somewhere you could sneak on.

16 Q. Where -- Where would you get those?

17 A. That was in that -- in this building right here,
18 the one we are calling "C."

19 Q. Okay. Did you have any other type of protective
20 clothing?

21 A. Nothing but a pair of safety glasses.

22 Q. Describe the safety glasses for me.

23 A. They were made something like yours; only had
24 little wings that come back on the back of them. Now, we
25 had to wear those.

1 Q. They had little flaps on the side?

2 A. Yeah.

3 Q. You had to wear those the whole time you were on
4 the job?

5 A. The whole time you was on the job.

6 Q. Do you know, did everyone that worked at Northrop
7 have to wear safety glasses like that?

8 A. Yes.

9 Q. You testified before that you also wore gloves.
10 What type of gloves did you wear?

11 A. Most of the time we just had them there old mule
12 gloves, leather gloves.

13 Q. They were like work gloves?

14 A. Work gloves, yeah.

15 Q. Were those given to you by Northrop, or did you
16 bring those, yourself?

17 A. I believe they furnished the gloves, too -- No, I
18 don't -- I believe I -- I will take that back. I believe
19 you had to furnish your own gloves. I don't believe they
20 give us no gloves.

21 Q. So you bought your own pair of gloves?

22 A. Yeah.

23 Q. Did everyone who worked on the waste detail with
24 you have gloves that they wore?

25 A. Yes.

1 Q. Did you have any type of special shoes that you had
2 to wear?

3 A. Yeah. They give us shoes, too, to wear, steel-toed
4 shoes.

5 Q. The shoes were steel-toed?

6 A. Yeah.

7 Q. Those were given to you by Northrop?

8 A. Yes. And they also had some kind of a bottom that
9 wouldn't make friction or something. I know we had to
10 wear -- They had a special shoe we had to wear.

11 Q. So it was a special bottom so it wouldn't skid?

12 A. Yeah, or make a spark or whatever.

13 Q. You mentioned before that you took cardboard and
14 things like that to the lower burning ground. Besides
15 from the building marked "C," did you pick up any
16 cardboard or paper from other buildings?

17 A. Oh, yeah. They about all -- Well, let's see.
18 Well, a lot of these labs, you know, and all these -- A
19 lot of these other places, they had a -- they had two
20 different places, see. They had one place for chemicals
21 and one place for just -- for trash, see. And you go here
22 to get the chemicals and maybe you go across the street at
23 the same building, see, and get the paper cups, the drink
24 cups and the boxes and whatever.

25 Q. Did anyone ever call the plain trash any particular

1 type of name?

2 A. No.

3 Q. Did you ever hear it referred to as inert waste?

4 A. No.

5 Q. The separate trash, was it always just small paper
6 items and cups, or were there also large pieces of
7 cardboard?

8 A. There was cardboard boxes and stuff like that.

9 Q. Did you ever pick up anything like this outside
10 Building 113?

11 A. No, I don't believe -- Let's see. I was just
12 trying to think if they had a -- I believe they only had
13 the one place that we picked up stuff there. I don't
14 think they had much inert waste like, you know, paper cups
15 and stuff like that. They don't -- I don't guess they had
16 no reason to have something up there like that, because
17 you sure couldn't eat up there.

18 Q. Did they ever have any boxes or cardboard up there
19 that their materials came in that they threw out?

20 A. Not as I -- No. I don't believe we ever picked
21 up -- I never did.

22 Q. Were there any of the other buildings where there
23 would be boxes or cardboard or that type of thing --

24 A. Yeah.

25 Q. -- from the production?

1 A. Yeah. Most all these others had both. You know,
2 they would have some chemicals, boxes, and then they would
3 have a place they had just cardboard and lumber and stuff
4 that come off of pallets, old pallets and stuff like that.

5 Q. Now, would you take all that cardboard and lumber
6 and that type of stuff to the lower burning ground?

7 A. Yes.

8 Q. Do you recall whether any of the cardboard or
9 lumber or any of that type of stuff had chemicals on it?

10 A. I don't remember now, it's been so long.

11 MR. LANE: I am about to go into some totally
12 new areas, so I think it might be a good time to break, or
13 did someone have some follow-up?

14 MR. WARNER: Well, it is a quarter of 12:00.
15 We might as well break for lunch.

16 MR. COLVIG: Can I ask (b) about five
17 minutes --

18 MR. LANE: Sure. Sure.

19 Mr. Colvig has some questions he would like
20 to ask you now.

21 EXAMINATION

22 BY MR. COLVIG:

23 Q. One thing I was curious about, you mentioned that
24 (b) (6) worked at Northrop. Besides (b) (6) who else
25 worked at Northrop?

1 A. (b) (6) [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
2 (b) (6) [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] e
3 (b) (6) [REDACTED] [REDACTED] [REDACTED]
4 Q. Okay. What was (b) (6) [REDACTED] s name?
5 A. (b) [REDACTED]
6 Q. What did he do?
7 A. He worked over here at 105, a' carrying those boxes,
8 flatten them out to where we could haul them.
9 Q. How long did he work there?
10 A. I guess he was there a year.
11 Q. Is he still alive?
12 A. No. He is dead now.
13 Q. And I think you mentioned that (b) (6) [REDACTED] [REDACTED]
14 also worked in 105; is that right?
15 A. No. He worked up here in -- whatever this --
16 MR. WARREN: "M."
17 THE WITNESS: "M."
18 MR. COLVIG: Right.
19 Q. How long did he work there?
20 A. I guess he was there a year or longer, too.
21 Q. Do you know what he did in that building?
22 A. They call -- I remember he mixed this powder. He
23 run those mullen [sic] things, you know, just looked like
24 a big washing machine with things that stirred this powder
25 and stuff together. That's what he done.

1 THE WITNESS: Yeah, (b) (6) I am not sure,
2 but I believe (b) (6) worked up here -- up there in -- Let's
3 see. I don't know exactly what he did do. I don't know
4 where he worked. You might get with (b) (6) (b) (6) might
5 know where he worked. I don't really know where he
6 worked, what department he worked in up there.

7 Q. (By Mr. Colvig) Did you ever take any waste
8 outside of the Northrop site besides like the lower
9 burning ground?

10 A. No, I never did.

11 MR. COLVIG: That's all I have.

12 MR. WHEELER: Can I ask a couple more
13 questions?

14 EXAMINATION

15 BY MR. WHEELER:

16 Q. I believe you testified that you gradually got a
17 bit immune to the tear gas; is that correct?

18 A. Uh-huh.

19 Q. You know, towards the end, before, I guess, you
20 were laid off for the last time, could you still tell that
21 you were working with tear gas?

22 A. Oh, yeah, you could still tell it.

23 Q. Okay. How did you -- I mean, to what degree did
24 you get immune to it? In other words, did it still take
25 your breath away sometimes --

1 A. It would still take your breath, but not as bad.
2 That's just like -- You know, when you start smoking a
3 cigarette, you first put a cigarette in your mouth, you
4 know, it will take your breath, but if you keep a'puffing
5 on them, you can finally get to where you can put her down
6 there and keep it, you know. That's the same idea, with
7 the difference.

8 Q. But you could still tell even at the end --

9 A. Oh, yeah.

10 Q. -- that you were dealing with tear gas?

11 A. It would take your breath. You couldn't handle
12 that stuff that it didn't take your breath, but you
13 wouldn't -- You know, it wasn't -- Like I say, you get
14 'mune to stuff, if you work it long enough, but it still
15 takes your breath.

16 Q. How about your skin? Did you -- How about your
17 skin? Did you still get blisters on your skin?

18 A. Oh, yeah, yeah. If you fool with it, it would get
19 on your skin and definitely make blisters on you.

20 Q. How often would you get blisters from working with
21 tear gas?

22 A. Just according to how, if you get downwind and
23 according to how -- you know, how much blew on you or
24 whatever.

25 Q. How about in terms of how often? Once a month?

1 Once a week?

2 A. I would say at least once a week. They had a water
3 hose there, and we would take it, you know, a lot of times
4 and wash our arms off the stuff -- you know, get it off us
5 as quick as we could, but you still -- You know, we had it
6 there and we had to load it. We would get rid of it.

7 Q. Was the hose there for that purpose, do you know?

8 A. I don't know, but there was a water hose there.

9 Q. Where did the water go?

10 A. Just on the open ground there.

11 Q. Okay. So it was a dirt area?

12 A. Yeah.

13 Q. Were there any other buildings that you went to
14 where you had a reaction to chemicals, that is, other than
15 Building 113?

16 A. No. That's the only building I had it -- I had
17 that reaction to it.

18 Q. Okay. Did I understand you correctly, that you
19 would make a -- that you made special runs from
20 Building 113 to the burning ground?

21 A. Yeah. Now, see, when we would pick up -- I don't
22 know, really, what it was. I guess it was -- It might
23 have been nitroglycerin, but I have picked up high as six
24 and seven gallons of this stuff, and we had to --

25 Just like I say, (b) (6) has been with me, and

1 we'd pack this stuff like in foam rubber and sawdust and
2 all this, and they'd tell us not to drive over two or
3 three mile an hour, you know. I mean, we would drive real
4 slow.

5 Then we would take this to the burning
6 ground. We'd spread plastic out, sawdust, pour this in
7 it, because they said, "Don't let this get in the ground,"
8 because it would make a bomb. We'd take all manners of
9 pain, you know, a'fixing it and pouring it into this
10 sawdust.

11 Q. How often did you do that?

12 A. I would say once ever two to three weeks you had
13 this kind of stuff.

14 Q. How about the CS material? Did you make a special
15 run with that to the burning ground, or was that just part
16 of your regular trip?

17 A. That was just part of our regular stuff. We just
18 took it as we took all the other stuff.

19 Q. Did you hose off that part of the truck where you
20 had the Building 113 waste?

21 A. No.

22 Q. Did -- Was the truck ever cleaned?

23 A. I don't know, really, if it was ever cleaned. We
24 just would drag boxes off and on, throw it and burn it.

25 Q. When you went near the truck were you ever bothered

1 by the presence of tear gas?

2 A. Oh, you could smell it on that truck.

3 Q. Okay. How about -- Did it ever take your breath
4 away just being next to the truck?

5 A. I -- I do know -- We have went in this cafeteria
6 here, when people, you know, would go to squawking about
7 it. You know, going in to eat our lunch or something,
8 people would squawk about it being on us. They could
9 smell it.

10 Q. These were just other employees?

11 A. Yeah.

12 Q. How often did that happen?

13 A. Just according to how bad you went in there with it
14 on you, you know. A lot of times we would go in there to
15 eat our lunch and people would go to squawking, you know.

16 Q. Were there occasions when people complained when
17 you didn't sense that you had any tear gas on you?

18 A. Yeah. They would sense it, where we wouldn't even
19 realize we could even smell it, you know. Us going in,
20 they could smell it off of us.

21 Q. Did they ask you to leave?

22 A. We have had some of them get up and leave, you
23 know. We would go in and sit down aside of them, like
24 here, and they would be -- man, they would get up and
25 leave.

1 Q. Who went with you on those occasions?

2 A. Me and (b) (6); [REDACTED] [REDACTED] [REDACTED] [REDACTED]

3 Q. Were there ever any employees, who you knew to be
4 supervisory employees, eating who complained in the
5 cafeteria?

6 A. No. I never did -- I never did notice no -- the
7 people that was eating with us.

8 Q. How often did these employees complain when you
9 went in? In other words, was it a weekly occurrence, a
10 monthly occurrence?

11 A. I'd say a week or ever two or three days. Just
12 like I say, if you get covered up with it, you go in
13 there, they, you know -- they could smell it where, you
14 know, like maybe we couldn't even notice it.

15 Q. Did any employees anywhere else at the plant ever
16 complain about your having chemicals on you?

17 A. No. Just when we'd go in there to eat lunch.

18 Q. How about when you changed clothes at the end of
19 the day?

20 A. Naw. I don't know. Most of the time, you know, I
21 never did really pay no attention to that. I guess
22 everybody was so anxious to get out of there, they -- You
23 know how the people is when quitting time comes.

24 MR. WHEELER: I have nothing further.

25 MR. LANE: I have one follow-up.

EXAMINATION (Resumed)

BY MR. LANE:

Q. You mentioned that you picked up what you thought was nitroglycerin.

A. Yeah.

Q. What building was that?

A. That was down here at "L," the lab.

Q. The first lab marked on the map?

A. Yeah.

Q. How did you know it was nitroglycerin?

A. That's what (b) (6) said it was. I was just going by what he said. It was in big, thick-like gallon jugs.

Q. Plastic gallon jugs?

A. No. It was glass jugs.

Q. Glass jugs?

A. Yeah.

Q. And you took those up to the burning ground?

A. Yeah.

MR. LANE: That's all.

MR. WHEELER: Why don't we break for lunch?

MR. LANE: 1:30?

MR. WHEELER: Is 1:30 okay?

MR. WARNER: Fine.

(At 12 o'clock noon a recess was taken until 1:36 p.m. of the same day.)

1 MR. LANE: Let's go back on the record.

2 Q. (b) [REDACTED], I would like to, first of all, follow
3 up with a few questions on some things we talked about
4 before lunch.

5 First of all, when you were traveling around
6 picking up waste outside the buildings, did any of the
7 containers or the waste have any warning labels on it?

8 A. No.

9 Q. Secondly, were you told or did you notice that any
10 of the waste that was disposed of was packed in a kill
11 solution or a neutralizing solution?

12 A. No.

13 MR. WARREN: I guess I need that clarified,
14 whether it was no, he didn't know, or no, there was no
15 kill solution.

16 Q. (By Mr. Lane) Okay. Did you know --

17 MR. WHEELER: Also, the question was
18 compound.

19 Q. (By Mr. Lane) Did you know of any kill solutions
20 that were used, or neutralizing solutions?

21 A. No.

22 MR. WHEELER: No, you didn't know; is that
23 correct?

24 THE WITNESS: Yeah.

25 MR. WHEELER: Okay.

1 Q. (By Mr. Lane) (b) (6), did you experience any
2 medical problems that you feel may have arisen out of your
3 employment at Northrop?

4 A. Yes, sir.

5 Q. Could you describe those for me, please.

6 (b) (6)
7
8

9 Q. Is this a rash?

10 A. I don't know what it is. The doctors don't even
11 know. I have been to four different doctors. Even a
12 specialist don't even know what it is.

13 Q. Did you experience this problem prior to working at
14 Northrop?

15 A. Yeah, it happened some time after I left over
16 there.

17 MR. WARREN: The word "prior."

18 Q. (By Mr. Lane) The question was, did you experience
19 the problem before you worked at Northrop?

20 A. Oh, no, no.

21 Q. Did the problem seem to crop up while you were
22 working at Northrop?

23 A. No. It was after I left over there.

24 Q. How long after you left?

25 A. I would say six months or a year.

(b) (6)

Q. When you say you can't eat anything --

(b) (6)

Q. Okay. So certain foods disagree with you, then?

(b) (6)

Q. Are there any other problems?

A. Not with me, but, you know, that's enough. I have been bothered with this stuff about 18 or 19 years, and I have spent a lot of money on it, too, going to doctors, buying medicines.

Q. Are you currently under the care of a doctor?

A. Yeah. I went -- I have got a bottle here where I had it filled not even -- before this come up. You know, I didn't even know nothing about this. I went the 4th and the 1st of '89.

Q. Is that a prescription?

A. Yeah.

2 A. No. This is medicine that I rub on all this stuff.
3 This is \$22 a bottle. You can imagine how long a little
4 bottle of this lasts when you try to rub it all over you.

7 A. No. I don't know if I had ever been to a doctor
8 before I went over there. I don't reckon I ever had.

10 Did you ever visit the nurse while you worked
11 at Northrop?

14 Q. And, once again for the record, when was it that
15 you had experienced these (b) (6)

16 A. Well, like, you know, you would fool with it like
17 one day, and the next day you would go in, you know, and
18 then you would be -- (b) (6) [REDACTED] [REDACTED] [REDACTED] [REDACTED]
19 all over you.

20 Q. Was that from picking up waste outside
21 Building 113?

22 A. I'd say it was.

23 Q. Do you know what the nurse gave you? Do you know
24 what it was called?

1 That's what she give all of us. Ever time either one of
2 us would go in there, that's what they'd give you, that
3 same kind of little old salve.

4 Q. Did that help?

5 A. Yeah. It would clear it up.

6 Q. When you visited the nurse did she ever send you to
7 a doctor?

8 A. No.

9 Q. And Northrop never sent you to a doctor for this
10 problem?

11 A. No.

12 Q. Do you feel that any of those substances you were
13 exposed to over there may have affected (b) (6) in any
14 way?

15 (b) (6)

16

17

18

19 Q. When did you notice the (b) (6)

20 A. I guess it was in about '72, I believe, when (b) (6)
21 started with that, started going to the doctor with it.

22 Q. During the time you worked at Northrop when you
23 would come home from work did you notice (b) (6)
24 reacting to you in any way?

25 A. Yeah. (b) (6)

1 (b) (6)

2 Q. (b) (6) when you got home from
3 work?

4 A. Yeah.

5 Q. Did (b) (6) -- tell you whether the (b) (6)
6 had sneezed before you got home, or did it just start when
7 you got home?

8 A. No. (b) (6) would just have a chain reaction of
9 sneezing, you know. Then I would go right out and get rid
10 of my clothes, take a shower.

11 Q. Did that seem to help?

12 A. Yeah.

13 Q. Did (b) (6) wash your clothes?

14 A. Yeah.

15 Q. Did (b) (6) ever have any reaction to your clothes when
16 (b) (6) tried to wash them?

17 A. Not as I know of. (b) (6)
18 I don't know if it's -- I'd say that's what it is. I'd
19 say it's the same thing.

20 Q. Okay. Back to the waste disposal detail, after you
21 filled up the truck most often you took it up to the
22 burning ground; is that correct?

23 A. Yeah.

24 Q. Describe the burning ground for me.

25 A. It's about -- It is a big area. I'd say the

1 ditches was about 300 foot long, and there's three ditches
2 that kind of laid on a slanted-like hill. It wasn't
3 level, you know.

4 Q. Do you know approximately how far from the main
5 plant area the burning ground was?

6 A. From the main plant?

7 Q. Right.

8 A. Oh, I'd say it would be a good mile from up there.

9 Q. How deep were the ditches that were on the burning
10 ground?

11 A. I'd say two foot deep.

12 Q. And there were three of them?

13 A. Yes, sir.

14 Q. I believe you testified previously that you used
15 these ditches in an alternating fashion.

16 A. Yes, sir.

17 Q. In other words, you would fill one up and then use
18 it and then go to the next one.

19 A. Yes, sir.

20 Q. Is that the way you used the ditches the whole time
21 you worked there?

22 A. Yes, sir.

23 Q. Were there any new burning ditches constructed
24 while you worked at Northrop?

25 A. Yeah. They made one. See, their burning ditch was

1 like -- was here for the chemicals, and for some reason
2 they didn't want us to keep a'going down to this off
3 limits, down here to like "A." So right out from these
4 other chemical ditches we built another one for the paper
5 and stuff. That's where we started burning it.

6 MR. WHEELER: When you said "A" there, you
7 pointed to Exhibit ALH 0000001; is that correct?

8 THE WITNESS: That was "A." You know, we
9 used to take it down to "A." That's the burning ground.

10 MR. WHEELER: I am just clarifying what you
11 were pointing to --

12 THE WITNESS: Right.

13 MR. WHEELER: -- because the court reporter
14 has a hard time --

15 THE WITNESS: Yeah.

16 MR. WHEELER: -- taking down a gesture.

17 THE WITNESS: Yeah.

18 MR. WHEELER: Okay. Thank you.

19 Q. (By Mr. Lane) So that was the lower burning
20 ground?

21 A. Yeah.

22 Q. At one point they told you you weren't allowed to
23 use the lower burning ground?

24 A. Well, I don't know what happened in the time. I
25 don't know why they quit using that one, but, anyway, we

1 went up there and built another one -- from the other one,
2 from the chemical burning ground.

3 Q. And were you told not to take cardboard and those
4 types of things down to the lower burning ground after
5 that?

6 A. Yes.

7 Q. Who told you that?

8 A. (b) (6) whoever -- He was our foreman. I don't
9 remember his first name. I remember him as (b) (6). Just
10 like I tell you, when you work at a place you just call
11 them by their last name, (b) (6) or whoever, you know.
12 You don't hardly ever call anybody by the first name. You
13 just use last names.

14 Q. Was he your foreman at night?

15 A. Yeah. He was the foreman. This other guy was over
16 all this doing away with all this trash, and I think at
17 the last (b) (6) even took over -- I think he was over (b) (6)
18 and all, I think, over this chemicals and all pick-up.

19 Q. Now, did you testify that you helped to construct
20 the new burning ditch --

21 A. Yeah.

22 Q. -- for the cardboard?

23 A. Yeah.

24 Q. Was that ditch like the other ditches where you
25 burned chemicals?

1 A. Yes.

2 Q. Was it about the same size?

3 A. About the same size.

4 Q. Did you ever dump regular chemical waste in there?

5 A. No.

6 Q. That was strictly for cardboard?

7 A. Strictly for cardboard and crates and pallets. I
8 ain't saying they didn't have any on them, but, you know,
9 we'd pick up a pallet, and I wouldn't say that it didn't
10 have any on it, but we took it, you know, to the cardboard
11 burning place.

12 Q. Getting back to the burning ditches that were there
13 on the burning ground the whole time, what would happen
14 when you took your truck up there? Describe for me what
15 you would do.

16 A. We would just pull up and we'd back up to the
17 ditch. One guy would get on the truck. If there was two
18 of us, one would hand the stuff off. You didn't -- You
19 just like separated that stuff in that burning ditch just
20 like you did in barrels. You poured out a little bucket
21 here and you would move over and pour out a bucket, and
22 over here.

23 Q. So you separated the waste in the burning ditch the
24 same way it was on the truck?

25 A. We separated it just like we did in the truck.

1 Q. Did you learn to separate the waste in the burning
2 ditch from (b) (6), also?

3 A. Yes, sir.

4 Q. Did anyone else ever give you any instructions
5 about unloading into the burning ditch?

6 A. No.

7 Q. What was -- What was the burning ditch made out of?
8 Was it just dirt?

9 A. Just dirt. Just like they took a dozer and just
10 rolled out a little -- Well, it was more like a flat-
11 bottom ditch with banks on it, is what it was exactly
12 like, just like they took down in there and routed the
13 dirt out, you know, and then just left the banks.

14 Q. Was there a liner in the burning ditch at all?

15 A. No. Just dirt.

16 Q. So did you pour the chemicals right onto the dirt?

17 A. Yeah, all but that one thing that I was telling you
18 about, that nitroglycerin. That's the only thing --

19 Somebody must have told (b) (6) about that, to
20 put the plastic and all that -- That was the only thing
21 that was poured on plastic.

22 Q. (b) (6) told you to pour that on the plastic?

23 A. Yeah, but most of the time when we burnt that stuff
24 he was always there with us, you know, when we picked that
25 stuff up.

1 Q. You didn't dump that at night?

2 A. No.

3 MR. WHEELER: Excuse me. The "he" you are
4 referring to right there was (b) (6)

5 THE WITNESS: (b) (6) yeah.

6 Q. (By Mr. Lane) After you -- Strike that.

7 Did any of the chemicals in the burning ditch
8 ever run together after you dumped them in, even though
9 you tried to separate them?

10 A. To tell you the truth, I -- We tried to keep it
11 apart. I wouldn't -- It's been so long ago it would be
12 hard for me to say, you know, but we tried to keep
13 everything just like, you know -- because we knew, you
14 know, not to let stuff get together, you know, because
15 they told us it would catch on fire.

16 You would be afraid to stand there in the
17 ditch, you know, dumping out something and mixing it
18 together, afraid it was going to ignite, you know.

19 Q. After you dumped the substances into the burning
20 ground what would you do then?

21 A. We'd take -- They had wire that we run out here,
22 and you'd tie a wire to this wire and this wire. We had a
23 place down here. And then you used black powder. You
24 would stretch like a -- 50 foot of powder, black powder, a
25 little row of black powder into this stuff. That's what

1 ignited it. And you plugged that in.

2 That wire there would get red, and it would
3 ignite the black powder, and then the black powder would
4 ignite all the other stuff.

5 Q. Did you know what the black powder was?

6 A. Yeah, we knowed what it was.

7 Q. What was it?

8 A. Just black powder, gunpowder, I guess.

9 Q. Did you used to participate in these burns?

10 A. Yeah. I have been right there and watched them and
11 helped and all.

12 Q. Now, did you used to burn at night?

13 A. No, we never did burn of a night. We did all of
14 the burning all of a day.

15 Q. But you were there during the day when there were
16 burns?

17 A. Yeah.

18 Q. Where would you be when the burns were taking
19 place?

20 A. They had a little old -- This burning ground come
21 out, you know, like this, and then it was just -- They had
22 a place chopped off. They had logs. You had a little
23 place back in there just built out of logs, and you got
24 back under the ground.

25 Q. Was that like a bunker?

1 A. A bunker. Yeah, you could call it a bunker. You
2 had big mirrors out here where you could watch it, up
3 higher than -- You know, we was down under here, and you
4 could see it -- look at this mirror, you know, back behind
5 it.

6 Q. Do you know why they constructed a bunker, why
7 there was a bunker constructed?

8 A. Yeah, to keep us from getting burned up. That
9 stuff would black the sunlight out. You couldn't be too
10 close to it. It would melt you.

11 Q. What would happen, then, after the burn took place?

12 A. You would see a big cloud of smoke, you know, just
13 a big humongous of smoke after you lit it.

14 Q. Did you have to eventually put out the fire when
15 you were up there?

16 A. No. You didn't never fool with it after you lit
17 it.

18 Q. It burned out, itself?

19 A. Yeah.

20 Q. What would you do, then, when the fire was out?

21 A. We would go on back and start rounding us up some
22 more stuff, you know. You did -- Once we got a load of
23 this chemical to burn, then we would go back and unload a
24 barrel and get a load of the other stuff and go burn it.

25 Q. Was there anything in the burning ditches that

1 didn't burn?

2 A. Yeah. There would be some aluminum, you know, that
3 sometimes, you know, want to get out -- off to the edge.
4 It would leave a part of it, you know. You could see it,
5 some kind of metals, if they got off to the edge.

6 Now, but if they was out in -- you know, out
7 in the middle of the chemicals, just like those flares,
8 where they completely assembled them, if one happened to
9 get turned out to the edge, it wouldn't melt it. You
10 know, it would leave part of it.

11 But anything that was in that fire, it would
12 just melt it.

13 Q. Did you have to do anything with the materials that
14 didn't burn?

15 A. Yeah. We'd rake them up, put them in barrels, and
16 then we'd also take them -- First we took them back to
17 the -- this lower burning ground I talked about. That's
18 where we got rid of that stuff.

19 Q. How did you get rid of it?

20 A. Just take it there and dump it out, and they'd
21 later bring dirt and cover it up.

22 Q. Did you do the same thing after the new cardboard
23 burning area was constructed on the upper burning ground?

24 A. No. We'd take it over there then. After the
25 new -- We'd go through the gate -- After they built that

1 second burning ground, they didn't never take nothing back
2 out through the gate as long as I worked there.

3 Q. Was that material that didn't burn buried?

4 A. Yeah.

5 Q. Who buried it?

6 A. They had some guy hired there with a dozer. Well,
7 I run the dozer a lot, myself. He told me, you know, just
8 to use it any way we wanted to. I -- They had it hired
9 off of him, but he told us to go ahead, if we needed to
10 clean out a ditch or -- That's the reason I --

11 You know, I built that one, myself, that
12 burning ditch, so a lot of times we'd shove dirt over some
13 of the stuff.

14 Q. Did you ever go up and look at the burning ditch
15 after a burn?

16 A. Oh, yeah, we'd clean them out the next day or --
17 most of the time the next day or sometime.

18 Q. Besides the material that didn't burn, what type of
19 residue was left in the ditch?

20 A. It would just be -- looked like old scorched stuff,
21 you know, melted together. I don't know what you would
22 call it. It would be burned -- It would be just like an
23 old crusty-like stuff on the ground, you know.

24 Q. And then when you went to dump new stuff on top of
25 that, did you just dump it right over it?

1 A. Yeah.

2 Q. Did you also dump liquids into the burning ditches?

3 A. Yeah. Like I was telling you a while ago, that old
4 red and yellow stuff -- I don't know what kind of stuff it
5 was in them barrels we'd pick up down there at that lab,
6 but we'd just pour it out in the ditch, because --

7 I don't know if (b) (6) knowed what it was. I
8 didn't even know what it was.

9 Q. This was the stuff from the lab buildings?

10 A. Yeah.

11 Q. When you dumped things into the burning ditches,
12 liquids, would they -- did they appear to soak into the
13 ground?

14 A. Yeah. Every now and again you could -- When we
15 ignited that, it would blow -- you know, it would blow a
16 hole out in the ground, a foot or a foot and a half, just,
17 you know, a hole in the ground, itself, without -- you
18 know --

19 Q. Some of those liquids would blow holes in the
20 ground --

21 A. Yeah.

22 Q. -- when you were burning them?

23 A. Yeah.

24 Q. Were there explosions during the burns?

25 A. Every now and again you would hear -- It would pop

1 and crack and zing. Like I was telling you a while ago,
2 you could hear them things a'popping and a'cracking, you
3 know. They would be a'flying off over the air.

4 MR. WHEELER: Those were the rubber tubes?

5 THE WITNESS: Yeah. I don't know what
6 kind -- It was black, real black. Looked like this here,
7 just like a -- It looked kind of like a plastic, you know,
8 but it just -- It looked like a tube. I don't know what
9 it was.

10 MR. WHEELER: The witness was pointing to a
11 black, rubber-covered microphone cord and -- microphone
12 plug which is on the table in the deposition room.

13 MR. COLVIG: Can I ask a question?

14 MR. LANE: Sure...

15 MR. COLVIG: What color was the smoke from
16 the burning ditches when it was burning?

17 THE WITNESS: It would be an old white,
18 hazy-looking smoke. It wouldn't be a black smoke. It was
19 just an old, white-looking cloud.

20 Q. (By Mr. Lane) Did you notice any odors during the
21 burns?

22 A. Well, yeah, you could smell that old stuff. Just
23 like -- You know how like a shotgun shell smells,
24 something like that? That's the way -- You know, you
25 could smell that old stuff.

- 1 Q. Did you notice an odor at the burning area almost
2 all the time?
- 3 A. Well, not all the time.
- 4 Q. Mostly closer to a burn?
- 5 A. Yeah.
- 6 Q. (b) (6) were you aware that there were any
7 pits for disposing of acid at Northrop?
- 8 A. I never did know no acid pits or nothing like that.
- 9 Q. Did you ever treat acid -- or did you ever handle
10 acid?
- 11 A. Well, I might have, but I didn't -- I don't know.
12 I have handled so much, I don't know what I handled. I
13 don't even really know what I handled, period, out there,
14 but just the powder and stuff like that.
- 15 Q. There was no acid that you had to take to a special
16 area?
- 17 A. No, not as I know of.
- 18 Q. Were you ever involved in the x-ray process at
19 Northrop?
- 20 A. What do you mean by that?
- 21 Q. Where they x-rayed certain materials or certain
22 products --
- 23 A. No.
- 24 Q. -- in one of the buildings.
- 25 A. No.

1 Q. I think you testified previously that you never
2 took any waste outside the Northrop plant to be disposed
3 of; is that correct?

4 A. That's right.

5 Q. Were you aware of any of the off-site disposal
6 areas?

7 A. You mean excepting the one here?

8 Q. Except for the lower burning ground, right.

9 A. No. We never did. That's the only place I ever
10 hauled anything. Besides that and then on the mountain,
11 is the only place that I ever took anything to.

12 MR. WARREN: I am sorry. I didn't hear what
13 you said about the mountain.

14 THE WITNESS: The only place I hauled
15 anything off was on the mountain, you know, the powdered
16 stuff, and this one for the cardboard and all for that.
17 That's the only place I ever hauled anything to.

18 MR. WARREN: I'm going to ask (b) (6) to clarify
19 "on the mountain." I just want to make sure --

20 MR. LANE: You want (b) (6) to clarify that?

21 MR. WARREN: I would like (b) (6) to.

22 MR. LANE: Okay.

23 Q. Can you clarify what you mean by "on the mountain"?

24 A. Well, we called -- You know, where we took the
25 explosive, that's where -- You know, I call that "on the

1 mountain," and we called this "down," you know.

2 Q. Would "on the mountain" be where the burning ground
3 was?

4 A. Yes.

5 MR. WHEELER: Is there anywhere else that you
6 referred to as "on the mountain"?

7 THE WITNESS: Yeah. Now, there is another
8 place on above there where we dumped a lot of barrels and
9 stuff and got rid of them, you know, just had stuff in
10 them, up above the burning ground.

11 MR. WHEELER: Now, do you refer to that as
12 "on the mountain," also, or is that something else?

13 THE WITNESS: Yeah, that's on the mountain,
14 too, above the mountain.

15 MR. WHEELER: Okay. So there are two
16 different places on the mountain; is that correct?

17 THE WITNESS: Yeah.

18 Q. (By Mr. Lane) One of them is the burial ground,
19 and one is where you took some barrels?

20 A. Yeah. There's an old -- The best I can remember,
21 there is an old pickup truck there. I believe it had like
22 an old refrigeration thing, and they's a bunch of barrels
23 rolled off in there with stuff in them.

24 Q. Was this an area that was set aside to dump barrels
25 in?

1 A. Evidently it must have been. That's where we -- We
2 put a lot of them off in there.

3 Q. What type of barrels would you take up there?

4 A. They would be black barrels and white barrels
5 and --

6 Q. Were they 55-gallon drums?

7 A. Yes, sir.

8 Q. Were they full?

9 A. A lot of them was full, and some of them wasn't
10 full.

11 Q. Where did you get these barrels?

12 A. Just pick them up all around, different places,
13 like the labs, mostly, was where we got a lot of that --
14 barrels. That's mostly where you got all your liquid
15 chemicals and stuff, at the labs.

16 Q. How did you know to take the barrels up to this
17 other area?

18 A. Well, (b) (6), he is the one that knowed where to
19 take them. We rode with him, helped him unload them.

20 Q. What would you do when you got the barrels up
21 there?

22 A. Just take them -- Three or four of us manhandled
23 off the back of the truck, rolled them over in that ditch.

24 Q. There was a ditch up there --

25 A. Yeah.

1 Q. -- where the barrels --

2 A. Yeah, just an old red clay ditch, you know, like
3 where nothing wouldn't grow. That's just about what a
4 looking place it was.

5 Q. Was it a ditch that someone at Northrop dug out, or
6 was it --

7 A. No. It was just a ditch the good man made, just an
8 old gully.

9 Q. It was not man-made?

10 A. No. Just an old gully that was already there.

11 Q. Could you see the barrels that had been dumped over
12 there?

13 A. Oh, yeah, a bunch of them. I ain't saying all of
14 them had stuff in them, but I know a lot of them that we
15 took up there and helped unload was -- A lot of them was
16 full. Some of them a quarter full. Some half.

17 MR. COLVIG: Can you give us an estimate of
18 how many barrels you saw there?

19 THE WITNESS: Oh, it might have been 200 or
20 300 barrels in the gully down in there.

21 Q. (By Mr. Lane) Did you dump barrels there the whole
22 time you worked at Northrop?

23 A. Yeah. Not often, but ever now and again they would
24 seem -- I guess tell (b) (6) "Come and get these barrels,"
25 and we'd go get them and haul them up there.

1 Q. Do you know how many times in a typical week you
2 would dump barrels up there?

3 A. It wouldn't be every week. Once, say, ever two to
4 three weeks.

5 Q. Would you wait until a certain number of barrels
6 stacked up before you went up there, or would you go get
7 one at a time or --

8 A. Most of the time we'd take several barrels at one
9 time.

10 Q. Did you ever wash any of these barrels out before
11 you dumped them in that area?

12 A. No.

13 Q. Were you ever aware that anyone washed barrels out?

14 A. No. I never seen one washed while I was up there.

15 Q. (b) (6), are you ever aware -- were you ever
16 aware of anyone getting exposed to BZ while you worked at
17 Northrop?

18 A. Well, now, this guy -- I never did see him, but
19 (b) (6) was telling me -- We was a'riding through, taking
20 some stuff down to this lower burning ground, and he said
21 there was a guy in there that went crazy. He'd pulled his
22 clothes off, but I didn't --

23 We was going over there to see him, but they
24 wouldn't let us go in there. He said he was in there in a
25 padded cell, is all I know.

1 Q. You are referring to a padded cell, is where --

2 A. That was down here at the first station, 100, I
3 guess, or 101, whatever they called it.

4 Q. That was in Building 100?

5 A. Yeah. That's where the guy was supposed to have
6 been.

7 Q. Do you happen to remember this person's name?

8 A. (b) (6) told me his name, but I have forgot now. It
9 has been a long time. I forgot his name.

10 Q. Did you ever personally handle BZ?

11 A. If I did, I don't know it. You know, like I say,
12 we handled about everything that went through that place.
13 I might have picked it up, but I didn't know what I was
14 handling, really.

15 Q. Outside of that story that you just told me, did
16 you ever discuss BZ with (b) (6)

17 A. No.

18 Q. Did you ever discuss it with anyone else?

19 A. No.

20 Q. (b) (6) were you aware of any burial areas on
21 the Northrop property where waste was actually buried?

22 A. No. Just like -- I guess they eventually buried
23 what we had rolled off, but it hadn't been buried when
24 I -- before I left.

25 Q. That was the barrels --

1 A. Yeah.

2 Q. -- that were tossed over the mountain?

3 A. Yeah.

4 MR. WHEELER: But you don't have any personal
5 knowledge of that, do you?

6 THE WITNESS: No. They might have got them
7 up. I don't know what they done with them. They may have
8 come and picked them all up and took them out of there. I
9 don't know what they done.

10 I know they was rolled off down in there. It
11 would have been pretty hard to have got them out of there.

12 Q. (By Mr. Lane) But when you left those barrels were
13 still there?

14 A. Yeah.

15 MR. COLVIG: You did testify, though, that
16 the partially-burned materials in the burning ditches
17 would be buried somewhere?

18 THE WITNESS: Oh, yeah. They'd take that --
19 We'd take this back down here to the regular burning
20 ground. We'd pick that stuff up and take it back down --

21 MR. COLVIG: You covered that up with dirt of
22 some kind?

23 THE WITNESS: Yeah.

24 Q. (By Mr. Lane) (b) (6) are you aware of any
25 creeks or streams that ran through the Northrop property?

1 A. Well, I could show you about where -- Over here,
2 see, now, where you pass this lab right here, there is a
3 creek that come down through here, I think, that's called
4 Bee Tree.

5 And there's another little old creek that I
6 remember was right here where we eat, behind this. It
7 come down by 113. Well, it come down the hollow something
8 like this.

9 MR. WARREN: Would you draw it on in green?

10 THE WITNESS: Use the green?

11 MR. WHEELER: Yeah, use the green.

12 THE WITNESS: The best I can remember, this
13 little old branch -- I don't know. It come somewhere from
14 up in here at '13, and it come through down this a'way and
15 back out.

16 Q. (By Mr. Lane) That was a creek?

17 A. This was a little old branch.

18 Q. A little branch?

19 A. Yeah. It was just about two foot wide.

20 Now, there was a big creek that come down
21 over here from this road on Bee Tree.

22 Q. That was Bee Tree Creek?

23 A. Yeah. And, then, down here at this burning ground
24 they was also -- Let's see. This creek come down this
25 a'way in behind this old burning ground, because there is

1 a -- There is a gang of ducks we'd watch about every day
2 we'd go in, because they had little ones, and we'd watch
3 them ducks here on this little old creek.

4 Q. Now, that second little creek was down by the lower
5 burning ground?

6 A. Yeah, this one, yeah.

7 Q. And the one that ran through by Building 113, was
8 that a branch of Bee Tree Creek?

9 A. No, it wouldn't be of Bee Tree.

10 Q. It wasn't connected in any way to Bee Tree?

11 A. I'd say that was a bunch of spring drains and stuff
12 like this, you know, sort of where springs would be in and
13 come out of these hollows.

14 Q. Did -- That branch that ran down by Building 113,
15 did that have a name?

16 A. I don't have any idea. I don't know if it has or
17 not. I never did hear nobody call it nothing.

18 Q. Did you ever notice that that branch was a strange
19 color at all?

20 A. No. To tell you the truth, I never did really even
21 pay any attention to it.

22 Q. Did you ever notice whether that creek was full?
23 Did it have water in it almost all the time?

24 A. Yeah, you could see water in it. I never did know
25 if there was anything in it or not.

1 Q. Did it have a strange odor at all?

2 A. I don't notice that -- I didn't notice that,
3 either.

4 MR. WHEELER: Can I ask a few questions?

5 MR. LANE: Sure.

6 EXAMINATION (Resumed)

7 BY MR. WHEELER:

8 Q. Let's go back for a minute to this gully where you
9 dumped the barrels. If you went out to the property today
10 could you still find the area where that gully was?

11 A. I'd say I could go back pretty close to it.

12 Q. How far -- Okay. Strike that.

13 How did you get up to that gully? In other
14 words, just driving up to it, how did you get there?

15 A. I believe you went to this burning ground. It
16 seemed like it was -- They was a hill between this road
17 over here where the burning ground was and 113, and it
18 seemed to me like we went on this mountain from 113 up on
19 top of this hill. In here there is a big ridge.

20 Q. Uh-huh.

21 A. But it was -- Seemed like you went up on the
22 mountain from 113 here, is where you come up on this
23 place, but you could look down and see the burning ground
24 from this point.

25 MR. WARREN: Could we give him a purple pen

1 and let him designate that?

2 MR. WHEELER: Sure.

3 Q. Why don't you do it in purple, if you would?

4 A. (Complied.)

5 Q. Now, was there a road of some kind up there?

6 A. Yeah. They had a little old dirt road.

7 Q. It was dirt?

8 A. Yeah.

9 Q. Was it graded?

10 A. Yeah.

11 Q. Was there any gravel on it?

12 A. I don't think there is any gravel on this road.

13 Q. Okay.

14 A. It just right up through -- just like a ridge come
15 through here. There's just a little old road went up
16 through here. There is where --

17 This is an old truck and, the best I can
18 remember, there is an old van-like type of a truck. It
19 was like a refrigerated truck on the back. It was in
20 here, and it has a bunch of old barrels and stuff in the
21 back of it.

22 Q. Okay. Now, if I understand the way the property
23 was laid out, there are basically two sort of what you
24 might call valleys with a ridge in between them. One of
25 the valleys has Building 113, and the next valley over has

1 the burning ground; is that correct?

2 A. Yeah, that's right.

3 Q. Now, this was the ridge between the two valleys; is
4 that correct?

5 A. Right.

6 Q. Now, was this -- Okay. Now, I want you to picture
7 for a minute that ridge. Was this area you are talking
8 about toward back up the ridge? In other words, how far
9 down the ridge was it?

10 A. It was kindly back, farther -- It was farther up
11 than the burning ground or anything. It was back up on
12 the mountain farther.

13 Q. Okay. So it was well back on the mountain; is that
14 correct?

15 A. Yeah.

16 Q. Was this -- Was the ridge at that time wooded?

17 A. No. It was just an old field.

18 Q. A field?

19 A. An old field, and we didn't -- Where they was
20 dumping this, it was just right in the edge of the woods.
21 It was an old broom sage with briers. You know how an old
22 field is. We just went right over that little ridge, and
23 they just graded out a flat place up to this point, where
24 an old big gully was, and that's where they -- where we
25 get rid of all of that barrels and stuff.

1 Q. Now, did this road end at that gully?

2 A. That was the end of it.

3 Q. Okay. Do you know who graded that road?

4 A. It was probably the guy that had that same dozer.
5 He stayed up there, you know, and he built fire lines, and
6 he pretty well stayed up there with the bulldozer all the
7 time.

8 Q. Again, who -- Do you remember that man's name?

9 A. No, I sure don't.

10 Q. Did you -- Was this the same man who let you drive
11 the dozer?

12 A. Yeah.

13 Q. What buildings did you get those barrels from that
14 you have dumped into that gully?

15 A. Well, I think a lot of them come from these labs
16 down here. We'd pick up a lot of them barrels and
17 chemicals. That was mostly where we picked up all the
18 liquid type of chemicals, was at them labs.

19 Q. And those are the buildings you have designated as
20 "L" and "L2" --

21 A. Yeah.

22 Q. -- is that correct?

23 A. Correct.

24 Q. Could there have been a -- Strike that.

25 Were there more than two labs that you picked

1 up chemicals at, to your recollection?

2 A. I believe there was two. I believe there was one
3 up here above 105 and this one down here and this one over
4 here, but they never did -- We never did pick up nothing
5 from this one over here below the burning ground, because
6 they never did let us -- I think that was top secret
7 stuff, and we never did go in there.

8 Q. So you essentially recall picking up from two labs?

9 A. Two labs.

10 Q. Okay. Now, were they only --

11 Now, I believe you testified that you picked
12 up small containers from the labs with chemicals.

13 A. (Nodding head up and down.)

14 Q. And, then, this is different from these barrels; is
15 that correct?

16 A. Yeah.

17 Q. Did you pick up barrels from the labs which you
18 took to the burning ground?

19 A. You mean the big barrels?

20 Q. Yeah.

21 A. No. When we'd get the big barrels most of the time
22 they'd go up there to that place.

23 Q. That's up to the gully on top of the ridge; is that
24 correct?

25 A. Yeah.

1 Q. Did anyone ever tell you why you took those barrels
2 up there?

3 A. No.

4 Q. Were any of the barrels that you took up bubbling?

5 A. No, I never did see none a'bubbling.

6 Q. Did the barrels have lids on them?

7 A. They had these little old screw lids, and they was
8 always closed up.

9 Q. Okay. So the barrels you took up to the gully had
10 a lid?

11 A. Yeah. Oh, yeah.

12 Q. Could you tell if the barrels had something in
13 them?

14 A. Oh, yeah.

15 Q. How could you tell that?

16 A. They was heavy. We had to unload them and load
17 them. You know, we loaded them by hand. We didn't have
18 no tail -- lift tailgate on that truck.

19 Q. How -- Strike that.

20 Could you hear anything sloshing around in
21 the barrels?

22 A. Yeah, it would slosh, some of it. Some of it just
23 like -- You know, it was just like it was thick stuff.

24 Q. When you dumped the barrels into the gully did any
25 of the lids come off?

1 A. Not as I remember.

2 Q. Okay. Did any of the barrels leak when you dumped
3 them in the gully?

4 A. No.

5 Q. Did you ever see any rusted-out barrels in that
6 gully?

7 A. I never did see none rusted out, but there was some
8 in there, you know, was rust-- getting pretty rusty from
9 laying down in there.

10 Q. You could see the rust on the outside of the
11 barrels; is that correct?

12 A. Yeah.

13 Q. What color were these barrels?

14 A. Some of them black; some of them white.

15 Q. Any other colors?

16 A. Seemed like there was some blue barrels.

17 Q. Did the barrels have any labels on them that you
18 took up to the gully?

19 A. No, I don't believe they had no labels on them.
20 Seemed like everything we worked with, I never did see no
21 labels on none of them barrels.

22 Q. Did anyone go -- Strike that.

23 Did you go up to the gully just during the
24 daytime?

25 A. Yeah.

1 Q. Did anyone go up there with you besides (b) (6)

2 (b) (6) (b) (6)

3 A. (b) (6) and sometimes old man (b) (6) and
4 all. Sometimes all four of us would go up there. When we
5 would have barrels, we would all -- A lot of times we
6 would work, you know, all together in one day, you know.

7 Q. But did anyone besides the four of you go up to
8 that gully?

9 A. No.

10 Q. Did you ever see any other employees of the company
11 up around that gully?

12 A. No. I never did.

13 Q. When was the last time you visited that gully?

14 A. It was sometime before I -- before they laid me off
15 that last time.

16 Q. Have you been back to that gully since you were
17 laid off?

18 A. No. I ain't been back over there at the plant or
19 nothing since I was laid off the last time. I have been
20 through there. I seen the plant was built where the old
21 paper place was in there. I have drove through there, but
22 I haven't been up in the hollow where the plant was.

23 Q. I believe at one point you testified that some of
24 the liquid that you were handling was bubbling; is that
25 correct?

1 A. Yeah.

2 Q. Can you describe the bubbling for me?

3 A. It was just like little air bubbles a'coming up
4 through that red and yellow stuff. Don't ask me what it
5 is, because I don't even know, myself, but it would be --
6 Some of it would be yellow in barrels and some of it would
7 be red in barrels.

8 Q. Did the bubbles burst when they got to the surface?

9 A. Yeah, just like it was a'working.

10 Q. Did you ever ask anyone what the stuff was?

11 A. No, I never did even ask, because usually me and
12 (b) (6) or them -- I didn't know whether they
13 knowed or not. I didn't even ask them what it was.

14 Q. Have you ever talked to anyone about throwing the
15 barrels down into that gully besides the people that you
16 went up there with?

17 A. No.

18 MR. WARREN: And his lawyers? Outside of his
19 lawyers.

20 Q. (By Mr. Wheeler) Outside of your lawyers.

21 One more question: When you would do trash
22 for -- Strike that.

23 When you did waste runs up to the burning
24 ground at night, did you do such runs -- Strike. Let's go
25 back to the beginning. "Strike that" just means I am

1 telling the court reporter I am not going to use that as a
2 question.

3 Did you ever take waste up to the burning
4 ground at night?

5 A. No.

6 Q. Why was that?

7 A. We would go around and pick that stuff up, but they
8 didn't let us go up there of a night with that truck. We
9 didn't go taking no chemicals. We would go around and
10 load them up and stuff, but we didn't go to the burning
11 ground after they closed that gate at 5 o'clock, going to
12 the burning ground.

13 Q. So there was a gate on the road up to the burning
14 ground?

15 A. Yeah.

16 Q. Where was that gate located?

17 A. That gate was located -- I will draw you a place.
18 Let's see --

19 MR. WARREN: Let's use orange.

20 Q. (By Mr. Wheeler) Just approximately.

21 A. It was just right above this here lab right here,
22 the gate.

23 Q. Okay. Now, in terms of that gate, was there a
24 fence around the burning ground area?

25 A. Yeah.

1 Q. What sort of gate was it?

2 A. It was a chain-link-fence gate.

3 Q. Okay. And was the fence a chain-link fence?

4 A. Yeah, yes.

5 Q. Do you know who locked the gate?

6 A. Evidently it must have been somebody that worked in
7 this lab, because it was always open when we would go in
8 the mornings. Most of the time it was, you know -- but
9 they said they closed -- It would be closed at 5:00 of a
10 night.

11 Q. So you are pointing to "L3"; is that correct?

12 A. Yeah, that lab.

13 Q. Did you ever know any of the safety people at the
14 Northrop plant?

15 A. No.

16 Q. Did you ever meet any of them?

17 A. No.

18 Q. Do you know who they were?

19 A. No.

20 Q. Did you ever hear of a (b) (6) or (b) (6)

21 A. Seemed like I have heard of (b) (6) or something
22 like that.

23 Q. Did you ever meet him?

24 A. I don't think so.

25 Q. How about a (b) (6)

1 A. Nope.

2 Q. When you would do a -- Strike that. If you --

3 When you picked up chemical waste on the
4 second shift -- you couldn't take it to the burning
5 ground -- did you park the truck somewhere?

6 A. Yeah.

7 Q. Did you park it in the usual place?

8 A. The usual place.

9 Q. Do you know what happened to the chemicals after
10 you parked that truck there?

11 A. Well, I guess (b) (6) or whoever come in on the day
12 shift, they would take it and do away with it.

13 Q. Okay, but you don't -- You have no personal
14 knowledge of that, do you?

15 A. No.

16 (Discussion off the record.)

17 EXAMINATION (Resumed)

18 BY MR. COLVIG:

19 Q. Did you have a boss who you reported to?

20 A. I'd go in and punch a time clock. We just started
21 making our rounds and never did see nobody.

22 Q. How did you know what shift you were supposed to
23 work? You said sometimes you would work day, or when (b) (6)
24 (b) (6) was gone --

25 A. (b) (6) he would always tell me. If he was going to

1 hit the road, he'd say, "You come in and take my place."

2 Q. So (b) (6) would tell you when to come in to work?

3 A. Yeah. He was more or less my boss, I guess,
4 really.

5 Q. Okay.

6 A. I don't know if they would tell him what to tell
7 me, but I never did -- Nobody never did tell nothing. I
8 just kindly -- He would tell me, "I am going to hit the
9 road, so you can fall in tomorrow and start picking this
10 stuff up."

11 Q. And you said sometimes you all worked together?

12 A. Yeah, we did.

13 Q. And he would tell you to come in on those days?

14 A. Uh-huh.

15 Q. All right.

16 MR. WHEELER: That's "yes"?

17 THE WITNESS: Yes.

18 EXAMINATION (Resumed)

19 BY MR. LANE:

20 Q. (b) (6) were you ever involved in any
21 accidents at Northrop?

22 A. Yeah. There was -- like to got burned up in a
23 truck up there.

24 Q. Tell me about that.

25 A. Well, we had these Mark 24s. See, now, they bought

1 a new -- or I guess they leased it -- I don't know -- one
2 of those aluminum-bed trucks. Like I was telling you a
3 while ago, we stacked them flares in there just like stove
4 wood, and I guess we had approximately 700 of them, had
5 them stacked in this truck.

6 So I was a'going up this gravel road after we
7 went above here, and (b) (6), he seen some sparkle about the
8 time we got in to the burning ground, so he pulled --
9 rolled up beside of me and said, "Get out of there. Your
10 back of your truck is on fire."

11 So I jumped out of this truck. I stopped it
12 real quick. I jumped off of this truck onto his running
13 board, and he takes on off, gets me away from the flame
14 that burns the truck up.

15 Q. (b) (6) was in a different truck?

16 A. Yeah.

17 Q. Did this happen during the day?

18 A. Yeah.

19 Q. Was this during the first month or so that you
20 worked with (b) (6) or was it later on?

21 A. No, it was later. I'd say it was up -- up in there
22 a year, I guess, close to it.

23 Q. What happened after you jumped out of the truck?

24 A. I jumped on his running board, and then he laid the
25 coal to that International and got us away from the other

1 one.

2 Q. Okay. Did the truck get destroyed?

3 A. I'd say. It melted it.

4 Q. Was there anything -- Was there anything left?

5 A. There wasn't nothing left. It even melted -- Part
6 of the frame, part of the hub was even melted. Then
7 flares, it was just like it had cut it, you know, just
8 melted to the ground.

9 Q. Did anyone get in trouble for that?

10 A. I never did hear nothing about it.

11 Q. No one -- None of the supervisors said anything to
12 you?

13 A. Never said a word to me.

14 Q. Did you have to report that to anyone?

15 A. I don't know if (b) (6) did. I didn't report it to
16 nobody.

17 Q. Were you aware of any other accidents while you
18 were at Northrop?

19 A. They was another accident. Let's see. We was
20 eating lunch one day, and (b) (6) had his car backed over
21 here about where we parked our -- left our truck all the
22 time, and some of that stuff went off and burned two or
23 three cars and stuff.

24 Q. The stuff went off of a truck?

25 A. Yeah. There were some chemicals, I guess. I don't

1 know if they got them mixed two in one or what happened,
2 but, anyhow, it just ignited and started burning,
3 burned -- Some of them flares, I think, went into the
4 truck and cars and burned them.

5 Q. Any other accidents?

6 A. That's all I know of.

7 MR. COLVIG: Were you there at the time of
8 that second accident?

9 THE WITNESS: Yeah.

10 MR. LANE: Could we -- Let's go off the
11 record.

12 (Recess.)

13 MR. LANE: We are back on the record.

14 Q. (b) (6) I have a few follow-up questions.

15 First of all, can you tell me how many times
16 you participated in a burn up at the burning grounds?

17 A. I'd say about every other day.

18 Q. Now, that was every other day when you were working
19 days or --

20 A. Yeah.

21 Q. And you sometimes worked the day shift, maybe a
22 week out of every month?

23 A. Yeah, or sometimes two weeks out of a month. He
24 might be out on the road two weeks out of a month. I'd
25 take over, take days then.

1 Q. And then you would participate in a burn every
2 other day when you were working days; is that correct?

3 A. Yeah, yes.

4 Q. Did you ever have knowledge that anyone in the
5 administration end at Northrop saw a burn taking place?

6 A. Yeah. One day they was, I guess, ten or twelve
7 people come up there. I don't know who they were, but
8 they was, you know, dressed up. I'd say they was some
9 kind of officials from that place come and watched it
10 burn.

11 Q. Were they people that worked at Northrop Carolina?

12 A. I'd say they were.

13 Q. Do you know whether they were from outside the
14 plant somewhere?

15 A. I'd say they was from the plant down there, is what
16 I would say. I don't know who they were.

17 Q. Did you recognize them?

18 A. No. I had never seen them before.

19 Q. And they came up just to watch the burn?

20 A. Yeah. They -- (b) (6) somehow knowed -- He was going
21 to tell them when to be up there for the burn. They
22 wanted to watch it. He made arrangements that they would
23 get up there to watch it. They wanted to see what -- how
24 we done it and how it looked and all of it.

25 Q. Did you talk to any of them while they were up

1 there?

2 A. No. (b) (6) did.

3 Q. Were you standing there when he talked to them?

4 A. Yeah.

5 Q. What did they discuss?

6 A. I don't know. I don't really know what they had to
7 say about it or what. (b) (6) he -- I was always kindly
8 shy a little bit, but he never did meet a stranger in his
9 life, you know. He could talk to anybody.

10 Q. Was that typical burn a pretty normal burn?

11 A. Just about like always, yeah.

12 Q. There were no accidents or mishaps?

13 A. No.

14 Q. Were you aware any other time that any supervisors
15 watched any of those burns?

16 A. No. There never -- That's the only time that I
17 ever knowed of anybody coming to watch it.

18 Q. That time did they stay for a long time, or did
19 they leave right afterwards?

20 A. They left just right afterwards. After it burned,
21 burnt down a little, they left out, too.

22 Q. (b) (6), were you ever told not to discuss
23 anything at Northrop because of security?

24 A. Yeah. When we first started they told us whatever
25 we learned or found out, that's -- keep it to yourself.

1 Don't talk, you know, about it to nobody.

2 Q. They told you that when you were down in the
3 personnel office?

4 A. Yeah.

5 Q. Was that the same time you had the physical and
6 filled out your application?

7 A. Yeah. Yes, sir.

8 Q. Was that the only time you ever discussed that with
9 anyone?

10 A. Yes.

11 Q. Did they tell you any specific types of information
12 that you weren't supposed to discuss?

13 A. No. They never did discuss nothing else with us.

14 Q. Just, in general, anything that you learned while
15 you were there you weren't supposed to discuss?

16 A. I guess. They just didn't want us -- You know, if
17 we seen hand grenades, they didn't want us to tell, you
18 know, nobody outside the plant, you know, what they made
19 or nothing, you know, if we seen anything. That's what I
20 assumed.

21 Q. (b) (6) do you have any other current
22 illnesses that you are concerned about right now?

23 (b) (6)

24

25

(b) (6)

1

2

3

4

5

6

Q. When did the (b) (6) start?

7

A. At about the same time all (b) (6) and everything else, but that's the first thing that really give me my big problem.

9

10 Q. So this -- Was that about 18 or 19 years ago, you testified?

11

12

A. Yeah.

13

Q. Within a year or so of leaving Northrop?

14

A. Yes, sir.

15

Q. Are there -- Are there any other medical problems currently?

16

(b) (6)

17

18

19

20

21

Q. Are any of your other family members, besides (b) (6)

22

(b) (6), currently experiencing medical problems?

23

24

(b) (6)

25

1 so I don't know if that was related or not. Some say it
2 was; others say it ain't, you know.

3 Q. For the record, (b) is younger than (b) (6);
4 is that correct?

5 A. Yes.

6 Q. And do you personally have any other medical
7 problems?

8 A. That's all.

9 MR. LANE: I have nothing further.

10 MR. WHEELER: Can I ask one question?

11 EXAMINATION (Resumed)

12 BY MR. WHEELER:

13 Q. When the party came up to watch the burn, you used
14 the expression "the way they were dressed." How were they
15 dressed?

16 A. They was dressed like big wheels.

17 Q. Now, what do you mean by that?

18 A. Well, in suits and stuff like this. You know, they
19 wasn't like no working people. You know, they was like
20 from an office or something.

21 Q. Did they have ties on?

22 A. Yeah. Some women. There was some women that was
23 in the gang, too, that come.

24 Q. How were the women dressed?

25 A. Real nice, too, you know.

1 Q. Did you ever see any of those people who came on
2 any other occasion at the plant?

3 A. Not as I know of. I never did see them before or
4 after.

5 Q. Were you -- Did you -- Were you -- Strike that.
6 Were you familiar with the people who were
7 the managers of the plant by sight?

8 A. Oh, yeah, I knowed the -- You know, I kind of
9 knowed the managers and all this stuff and that, (b) (6)
10 but they never did bother us, you know, or tell us
11 nothing.

12 Q. How did the people who came up get there? In other
13 words, car, walk up? How did they get there?

14 A. I believe they drove up in cars. I believe there
15 were two or three cars come up.

16 Q. What sort of cars?

17 A. I couldn't tell you now, it has been so long, but,
18 anyhow, I knowed that (b) (6) had it arranged. They was
19 wanting to watch it burn, and I don't know if they was
20 from 101 or where, but, anyhow, they wanted to watch it.

21 And he told them when and what time to be
22 there, and he was -- That's what time we was burning.

23 Q. Okay. So he told you he was going to call 101,
24 Building 101, and tell them when the burn was going to be?

25 A. Uh-huh.

1 Q. That's "yes"?

2 A. Yes.

3 Q. Did you hear him do that?

4 A. No.

5 Q. One other question about the burns: Did you see
6 any ashes up in the air during the burns?

7 A. Yes. You could see some white ashes.

8 Q. Do you know what happened to those ashes?

9 A. They would just blow away, I guess.

10 Q. But you don't know? That's just an assumption --

11 A. Yes.

12 Q. -- on your part?

13 A. That's my assumption, or they could have went back
14 and settled on the ground. I don't know where they went
15 to, but you could see them when you burned in a white fog.

16 Q. Was there ever any residue around the ditches after
17 a burn?

18 A. You mean stuff that hadn't been burned?

19 Q. Well, no, more -- You know, you had a ditch and you
20 would burn and, say, if stuff had been blown around, it
21 would have blown onto the ground around the ditches. Did
22 that happen?

23 A. It pretty well melted all the stuff, but it would
24 leave that old stuff, like I was telling you, just that
25 old crusty-like -- the way it would melt. I guess it

1 would melt to the ground or actually, you know, hot
2 enough. Like a rock or something, you know, it could
3 probably melt it.

4 Q. The focus of my question is actually on the area
5 around the ditches. Did you ever see any ashes or
6 anything in the area? In other words, not the ditch,
7 itself, but the ground just around the ditch.

8 A. Yeah, you could -- You can see stuff, you know,
9 little old fine stuff like powder, you know, like stuff
10 had been burned.

11 Q. And that was after the burns --

12 A. Yeah.

13 Q. -- is that correct?

14 A. Yeah.

15 Q. Did you ever scrape any of that stuff up?

16 A. Oh, yeah, we raked all them ditches out, and all
17 that old crust -- Most of the time we would take -- get
18 that old crust out of there, you know. We had rakes, and
19 we'd rake that out, put it in them barrels and take it
20 down to this lower burning ground. That's where we got
21 rid of it.

22 Q. Or you would take it to the cardboard burning ditch
23 after they closed the lower burning ground; is that
24 correct?

25 A. Yes, sir.

1 MR. WHEELER: I have nothing further.

2 EXAMINATION (Resumed)

3 BY MR. COLVIG:

4 Q. Can you tell me about when the people came out to
5 look at the burn?

6 A. I'd say it was in the morning. I'd say roughly it
7 was about 10 o'clock, the best of my knowledge.

8 Q. In terms of when you were at Northrop, was it in
9 the beginning, in the middle, towards the end?

10 A. I'd say it was in about the middle, about the
11 middle of while I was there.

12 MR. COLVIG: That's all I have.

13 EXAMINATION

14 BY MR. FADEFF:

15 Q. Let me just ask you a few about that burn where
16 there were people observing. Did they watch the burn?
17 Were they in the bunker with you?

18 A. Yeah. They come around down on the bunker with us,
19 watched it ignite and the whole thing.

20 Q. Do you recall any of the conversation while you
21 were in the bunker with them?

22 A. No.

23 Q. Did you follow any special procedures before the
24 burn on that particular occasion?

25 A. No. It was the same as all. We just -- Same as

1 all the other burns. I really think that these people
2 were from 101. That's where I think they was from, just a
3 bunch of secretaries and stuff that wanted -- They give
4 them authority to come up, and let -- They wanted to see
5 that stuff burn. I think that's where they was actually
6 out of.

7 Q. But you don't recall recognizing any of those
8 people from -- from 101?

9 A. No.

10 Q. Were they there while you were dumping any waste
11 material in the bunker --

12 A. No.

13 Q. -- before starting the fire?

14 A. No.

15 Q. So everything was set for the fire when they got
16 there, and all you did was ignite it?

17 A. Ignite it, and they watched it burn and then they
18 left.

19 MR. FADEFF: Thank you.

20 MR. WHEELER: Let me ask one more question.

21 EXAMINATION (Resumed)

22 BY MR. WHEELER:

23 Q. Did anyone from the County Air Pollution Commission
24 ever come out to watch one of the burns?

25 A. No, sir.

1 MR. WHEELER: All yours.

2 MR. WARNER: No questions.

3 MR. WHEELER: Thank you very much, sir.

4 MR. LANE: Thank you, (b) [REDACTED] We are
5 finished.

6 MR. WHEELER: We have a relatively standard
7 stipulation which we should put on the record.

8 THE REPORTER: On the tape or not?

9 MR. WHEELER: We could just leave it off of
10 the tape, off the video tape.

11 And it's that the original of the transcript
12 will be sent to Mr. Warren, who will transmit it -- or who
13 will have (b) [REDACTED] review it.

14 I think in view of the fact that he probably
15 may -- (b) [REDACTED] may require some assistance in going
16 through it, that it might be helpful if we gave, say, two
17 months to review it.

18 Would that be okay with you?

19 MR. WARNER: That's fair enough.

20 MR. WARREN: Two months to six weeks.

21 MR. WHEELER: Why don't we do two months?
22 Let's give you 60 days.

23 MR. WARNER: May I suggest that the
24 declaration under penalty of perjury recite the fact, if
25 it be true, that the witness did not read, but, rather,

1 that the transcript was read to him.

2 MR. WARREN: That's the way we are going to
3 do (b) [REDACTED]

4 MR. WARNER: And have him identify the person
5 who read it.

6 MR. WARREN: Right. "It was read to me by
7 so and so."

8 THE REPORTER: Do you want me to put that in
9 the certificate?

10 MR. WARREN: Yeah, put that in the
11 certificate.

12 MR. WHEELER: Yes, please.

13 MR. WARREN: And obviously we don't need to
14 be charged for the original; right? There was some mix-up
15 about that last time.

16 MR. WHEELER: No. We are paying for the
17 original. We are just going to send it to you.

18 MR. WARREN: Right, and we will send it to
19 the court reporter. Thank you.

20 MR. WHEELER: Okay. And the court reporter
21 will actually be -- Let's see. For nonparties, what are
22 we supposed to do? The court reporter should transmit the
23 original in a sealed envelope to Rogers & Wells. Then we
24 will keep the -- and also --

25 THE REPORTER: That's with the assumption

1 that it is returned to me.

2 MR. WARNER: After it is returned by the
3 witness.

4 MR. WHEELER: After it is returned by the
5 witness.

6 MR. WARREN: Right.

7 MR. WHEELER: And if you could also return to
8 us a copy of the changes, if any, or a notation so that we
9 could then send that to all the parties. We will take
10 care of that.

11 MR. WARREN: Since y'all are all here, I went
12 over to (b) (6) beforehand, because today is the
13 deadline for his signing the thing, and he hasn't finished
14 it, finished reading it. I think he will finish reading
15 by tomorrow, but I just didn't want to -- I don't think
16 anybody is going to object to have another day to have him
17 sign it.

18 MR. WHEELER: Is a week okay for (b) (6)?

19 MR. WARREN: I think I can get it tomorrow.
20 I am trying -- Well, it depends on (b) (6) in the
21 morning. As soon as I finish that, I want to run over --

22 MR. WHEELER: I think the three of us, if you
23 take Evanston and you and me on behalf of the Steering
24 Committee, can stipulate to just about anything.

25 MR. WARNER: So far as I am concerned, the

1 witness may have until -- and "by the witness," I am
2 referring to (b) (6) -- until the 1st of July upon which
3 to --

4 MR. WARREN: I am sure we will get it before
5 that, but I appreciate the courtesy.

6 MR. WHEELER: That's fine.

7 MR. LANE: I think we are off the record.

8 MR. WHEELER: Well, actually, that would be
9 helpful to have on the record.

10 MR. WARREN: Yes.

11 (At 2:45 p.m. proceedings in the
12 above-entitled matter were concluded.)

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1 I, (b) (6), have been read the
2 foregoing 155 pages of testimony given by me on Monday,
3 June 26, 1989, in Asheville, North Carolina, by _____
4 _____.

5 The testimony should be corrected as follows:

6 PAGE LINE CORRECTION AND REASON THEREFOR

7
8
9
10
11
12
13
14
15
16
17 Subject to the foregoing corrections, my
18 testimony is as contained in the foregoing deposition.

19 Signed under the penalties of perjury at
20 _____, North Carolina, this _____ day of
21 _____, 1989.

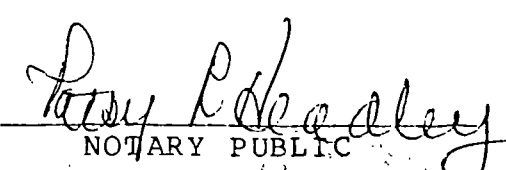
22
23 (b) (6)
24
25

1 STATE OF NORTH CAROLINA)
2)
COUNTY OF BUNCOMBE) SS.

3 I, PATSY R. HEADLEY, a Notary Public for the
4 State of North Carolina, do hereby certify:

5 That on the 26th day of June, 1989, there
6 appeared before me, pursuant to Notice, (b) (6);
7 that the appearances were as shown in the caption hereof;
8 that the said deposition was taken at the time and place
9 indicated, commencing at 9:50 a.m.; that the said witness
10 was sworn by me to tell the truth, the whole truth, and
11 nothing but the truth in said cause; that the foregoing
12 testimony was taken by me by computerized Stenotypy and
13 thereafter scoped and printed by me; and the foregoing
14 transcript is a true record of the testimony given by the
15 witness; that the witness has been requested to have read
16 to him the deposition and to sign the deposition; that I
17 am not of kin or in any wise associated with any of the
18 parties to said cause, or their counsel, and that I am not
19 interested in the event thereof.

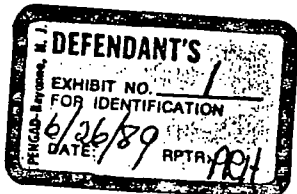
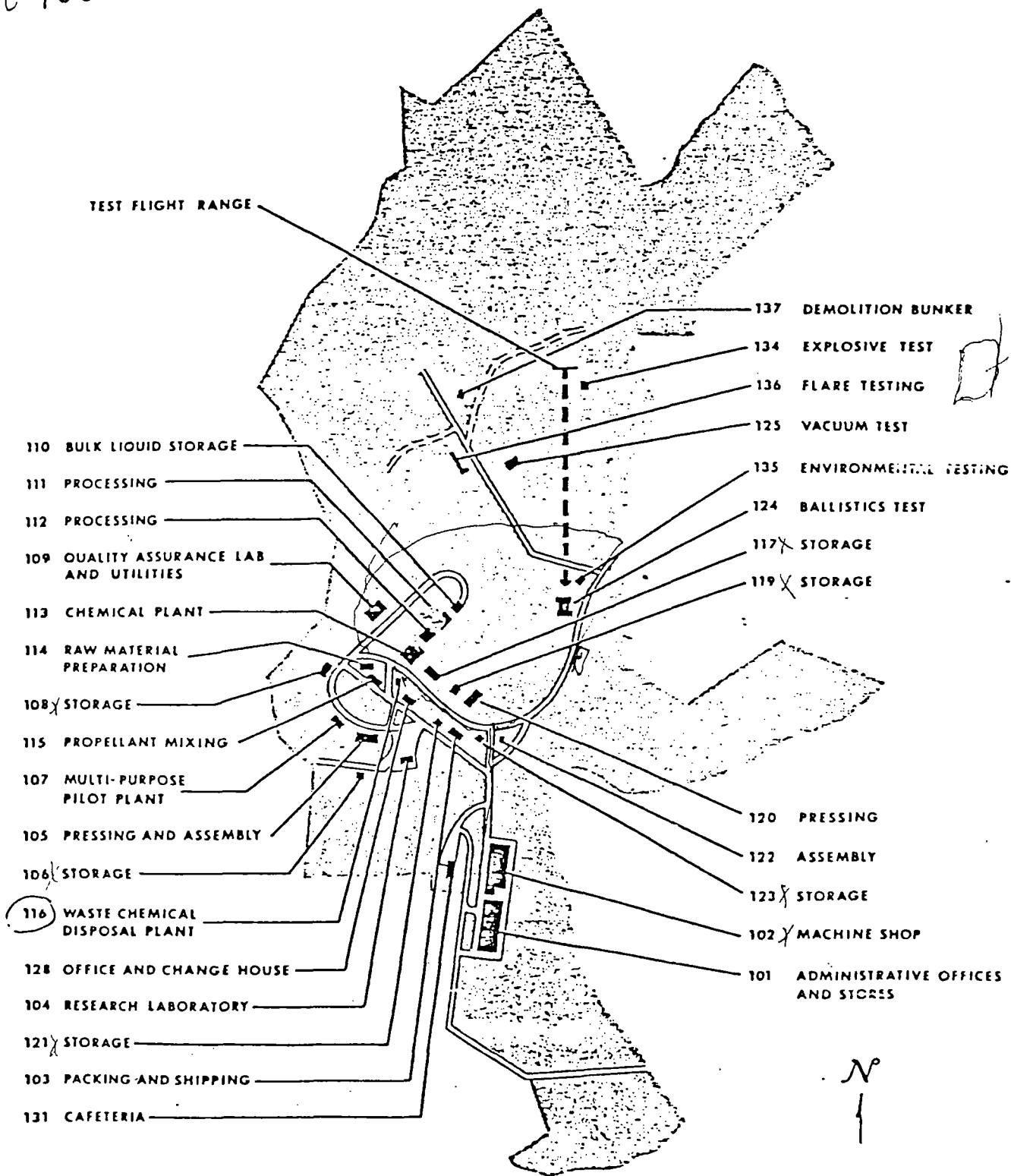
20 WITNESS my hand and official seal this 12th
21 day of July, 1989.

22
23
24 
NOTARY PUBLIC

25 My Commission expires September 20, 1991.

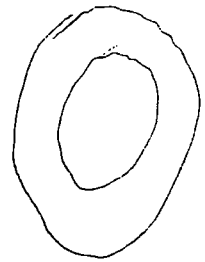
FACILITY LAYOUT

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ALH 0000001



DEFENDANT'S
EXHIBIT NO. 2
FOR IDENTIFICATION
DATE: 6/26/89 RPTR: ARH

